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JOURNAL

OF

THE SENATE

OF THE

STATE OF WEST VIRGINIA.

SECOND SESSION.

HELD IN THE CITY OF WHEELING.

BEGUN TUESDAY, JAN. 19, 1864.

WHEELING:
JOHN F. M'DERMOT, PUBLIC PRINTER.

1864.

1304

JOURNAL.

TUESDAY, JANUARY 19, 1864.

The members of the Senate assembled at their Chamber, at 11 o'clock, A. M., and were called to order by the Clerk.

After prayer by the Rev. Mr. Wayman, the Clerk submitted the returns of the election held on the 22nd day of October, 1863, for a Senator for each of the ten Senatorial Districts of the State, and presented a list showing that the following persons appeared by said returns to be elected :

First district, John H. Atkinson, of Hancock county

Second district, James Burley, of Marshall county.

Third district, John J. Brown, of Preston county.

Fourth district, Daniel Haymond, of Ritchie county.

Fifth district, Edward S. Mahon, of Jackson county.

Sixth district, Daniel D. T. Farnsworth, of Upshur county.

Seventh district, John M. Phelps, of Mason county.

Eighth district, John B. Bowen, of Wayne county.

Ninth district, William S. Dunbar, of Raleigh county.

Tenth district, Aaron Bechtol, of Morgan county.

The Clerk then called the roll and the following members answered to their names :

Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Carskadon, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, Stevenson, and Young—18:

Absent—Messrs. Burley, and Copley—2.

The members present then came forward and were qualified according to law.

The Clerk stated that the first business in order was the election of a President of the Senate.

There being no nominations made, the members proceeded to ballot for President.

The first ballot resulted as follows: Daniel D. T. Farnsworth 7, William E. Stevenson 4, Chester D. Hubbard 3, James Carskadon 1, John J. Brown 1, John M. Phelps 1, and Aaron Hawkins 1, total 18; necessary to a choice 10. So there was no election.

The Senate then proceeded to take thirty-eight other ineffectual ballots as follows :

Second ballot—Farnsworth 7, Stevenson 4, Hubbard 3, Brown 2, Carskadon 1, and Phelps 1.

Third ballot—Farnsworth 7, Stevenson 4, Carskadon 3, Hubbard 3, and Phelps 1.

Fourth ballot—Stevenson 5, Farnsworth 4, Hubbard 3, Hawkins 2, Brown 1, Carskadon 1, Phelps 1, and Edwin Maxwell 1.

Fifth ballot—Stevenson 5, Farnsworth 5, Hubbard 3, Carskadon 3, Hawkins 1, and Phelps 1.

Sixth ballot—Stevenson 5, Farnsworth 5, Hubbard 3, Phelps 3, Carskadon 1, and John H. Atkins 1.

Seventh ballot—Stevenson 5, Farnsworth 4, Hawkins 2, Hubbard 2, Phelps 2, Atkins 1, Carskadon 1, and Edward C. Bunker 1.

Eighth ballot—Stevenson 7, Farnsworth 3, Hawkins 2, Hubbard 2, Phelps 2, Brown 1, and Carskadon 1.

Ninth ballot—Stevenson 9, Farnsworth 5, Hubbard 2, Hawkins 1, and Brown 1.

Tenth ballot—Stevenson 7, Farnsworth 5, Greenbury Slack 2, Bowen 1, Carskadon 1, Hawkins 1, and Hubbard 1.

Eleventh ballot—Stevenson 8, Farnsworth 6, Carskadon 2, Hubbard 1, and Edward S. Mahon 1.

Twelfth ballot—Stevenson 8, Farnsworth 3, Carskadon 3, Brown 1, Hawkins 1, Hubbard 1, and Mahon 1.

Thirteenth ballot—Stevenson 7, Farnsworth 4, Hubbard 2, Atkinson 1, Bunker 1, Carskadon 1, Mahon 1, and Maxwell 1.

Fourteenth ballot—Stevenson 8, Farnsworth 5, Atkinson 1, Carskadon 1, Hawkins 1, Mahon 1, and Maxwell 1.

Fifteenth ballot—Stevenson 8, Farnsworth 4, Carskadon 3, Brown 1, Hubbard 1, and Phelps 1.

Sixteenth ballot—Stevenson 7, Farnsworth 5, Carskadon 3, Hawkins 1, Hubbard 1, and Phelps 1.

Seventeenth ballot—Stevenson 7, Farnsworth 5, Carskadon 2, Maxwell 2, Hubbard 1, and Phelps 1.

Eighteenth ballot—Stevenson 7, Farnsworth 6, Brown 2, Carskadon 2, and Hubbard 1.

Nineteenth ballot—Stevenson 7, Farnsworth 7, Brown 2, Bunker 1, and Carskadon 1.

Twentieth ballot—Stevenson 7, Farnsworth 7, Bunker 1, Carskadon 1, Hawkins 1, and Maxwell 1.

Twenty-first ballot—Stevenson 8, Farnsworth 5, Hubbard 2, Brown 1, Bunker 1, and Raymond 1.

Twenty-second ballot—Stevenson 8, Farnsworth 6, Atkinson 1, Bunker 2, Hubbard 1, and Slack 1.

Twenty-third ballot—Stevenson 6, Farnsworth 6, Atkinson 1, Brown 1, Bunker 1, Carskadon 1, and Young 1.

Twenty-fourth ballot—Stevenson 8, Farnsworth 6, Atkinson 1, Bunker 1, Carskadon 1, and Hawkins 1.

Twenty-fifth ballot—Stevenson 8, Farnsworth 5, Carskadon 2, Bechtel 1, Brown 1, and Hawkins 1.

Twenty-sixth ballot—Stevenson 8, Farnsworth 5, Carskadon 2, Brown 1, Hawkins 1, and Mahon 1.

Twenty-seventh ballot—Stevenson 9, Farnsworth 4, Carskadon 2, Atkinson 1, Hawkins 1, and Rollyson 1.

Twenty-eighth ballot: Stevenson 9, Farnsworth 3, Carskadon 2, Bechtol 1, Brown 1, Dunbar 1, and Hubbard 1.

Twenty-ninth ballot: Stevenson 9, Farnsworth 4, Carskadon 2, Brown 1, Hubbard 1, and Maxwell 1.

Thirtieth ballot: Stevenson 9, Farnsworth 4, Bunker 2, Hubbard 2, Brown 1.

Thirty-first ballot: Stevenson 9, Farnsworth 5, Brown 1, Bunker 1, Carskadon 1, Hubbard 1.

Thirty-second ballot: Stevenson 9, Farnsworth 5, Brown 1, Bunker 1, Carskadon 1, Phelps 1.

Thirty-third ballot: Stevenson 9, Farnsworth 5, Brown 2, Carskadon 1, and Hubbard 1.

Thirty-fourth ballot: Stevenson 9, Farnsworth 6, Brown 1, Carskadon 1, and Maxwell 1.

Thirty-fifth ballot: Stevenson 9, Farnsworth 6, Hubbard 2, and Brown 1.

Thirty-sixth ballot: Stevenson 9, Farnsworth 5, Brown 2, Carskadon 1, and Hubbard 1.

Thirty-seventh ballot: Stevenson 9, Farnsworth 7, Bunker 1, and Hubbard 1.

Thirty-eighth ballot: Farnsworth 8, Stevenson 7, Brown 2, and Carskadon 1.

Thirty-ninth ballot: Farnsworth 7, Stevenson 7, Brown 2, Carskadon 1, Hubbard 1.

A message from the House of Delegates by Messrs. Ruffner, Soper and Wheat, announced that the House had completed its organization and was ready to proceed to business.

On motion of Mr. Phelps, the Senate took a recess until 2½ o'clock, P. M.

2½ O'CLOCK, P. M.

The members of the Senate re-assembled.

The fortieth ballot for President was taken, and resulted as follows:

Stevenson 9, Farnsworth 5, and Hubbard 3; total number of votes 17; necessary to a choice 9.

So Mr. Stevenson having received a majority of the whole number of votes cast, was declared elected President of the Senate.

The Clerk appointed Messrs. Farnsworth and Hubbard to conduct the President to the chair, who performed that duty; and the President entered upon the discharge of his duty.

The President announced that the next business in order was the election of a Clerk.

Mr. Brown nominated Ellery R. Hall, of Marion county.

And on motion of Mr. Maxwell he was elected by acclamation.

The President then administered to the Clerk the oaths prescribed by law.

On motion of Mr. Phelps, Alpheus D. Hagans, of Preston county, was unanimously elected Sergeant-at-arms of the Senate; and he subsequently appeared and was qualified.

For the office of Doorkeeper of the Senate, Mr. Hawkins nominated Thomas L. Boggess, of Marion county.

Mr. Carskadon nominated Joseph Barclay, of Ohio county.

The vote was taken by ballot, and resulted as follows :

For Mr. Boggess 9; for Mr. Barclay 7; and for Reubeu J. Bul-lard 1; total 17; necessary to a choice 9. So Mr. Boggess having received a majority of all the votes cast was declared elected door-keeper; and he was thereupon qualified.

On motion of Mr. Maxwell,

Resolved, That the President be requested to appoint two pages for this body.

The President appointed under said resolution Alexander R. Campbell and Charles H. Wheat.

On motion of Mr. Hubbard, John H. Charnock was appointed Janitor of the Senate.

On motion of Mr. Maxwell,

Resolved, That a committee of two be appointed to inform the House of Delegates that the Senate is organized and ready to proceed to business.

Under this resolution Messrs. Maxwell and Carskadon were appointed.

Mr. Maxwell offered the following joint resolution :

Resolved by the Legislature, That a committee of two on the part of the Senate, and three on the part of the House of Delegates, be appointed to inform the Governor that both Houses of the Legisla-ture are now organized and ready to receive any communication he may desire to make.

The resolution was adopted and Messrs. Brown and Hawkins appointed on the part of the Senate.

On motion of Mr. Carskadon the rules of the last session were adopted for the temporary government of the Senate.

On motion of Mr. Hubbard,

Resolved, That when the Senate adjourn to-day, it will adjourn to meet to-morrow at 10 o'clock, A. M., and thereafter at the same hour until otherwise ordered.

Mr. Rollyson offered the following resolution :

Resolved, That the Sergeant-at-arms be instructed to purchase Stationery, &c., for the use of the Senate.

Mr. Phelps moved to amend the resolution by striking out "&c." and inserting "and postage stamps."

The motion to strike out prevailed, but the motion to insert was lost; and, as amended, the resolution was adopted.

On motion of Mr. Brown,

Resolved, That the President of this body be requested to invite the attendance of the clergy of this city to open the Senate with prayer.

And on motion of Mr. Rollyson, the Senate adjourned.

WEDNESDAY, JANUARY 20, 1864.

After prayer by Rev. Mr. French, the journal was read and approved.

The President announced the following standing committees:

On Privileges and Elections—Messrs. Carskadon, Haymond and Rollyson.

On Courts of Justice and General Laws—Messrs. Maxwell, Brown, and Atkinson.

On Finance and Claims—Messrs. Brown, Bunker, and Atkinson.

On Banks and Corporations—Messrs. Hubbard, Hawkins, and Bowen.

On Township and County Organization and Municipal Corporations—Messrs. Bunker, Mahon, and Copley.

On Military Affairs—Messrs. Phelps, Young, and Dunbar.

On Internal Improvements and Navigation—Messrs. Farnsworth, Bechtol, and Phelps.

On Education—Messrs. Atkinson, Bunker, and Burley.

To Examine Clerk's Office—Messrs. Bowen, Bechtol, and Maxwell.

On Executive Expenditures—Messrs. Burley, Haymond, and Slack.

On the Library—Messrs. Mahon, Copley, and Rollyson.

On Enrolled Bills—Messrs. Slack, Carskadon, and Hubbard.

To Examine the Auditor's Office, Treasurer's Accounts and Bonds of Public Officers—Messrs. Hawkins, Hubbard, and Farnsworth.

The President laid before the Senate a message from the Governor.—[Ex. Doc. No. 1.]

Mr. Farnsworth offered the following,

Resolved by the Legislature, That five thousand copies of the Governor's message be printed for the use of the Legislature.

On motion of Mr. Phelps, the rule was suspended for the purpose of passing said resolution.

Mr. Rollyson moved to amend the same by striking out "five" and inserting "ten," but the motion did not prevail.

The resolution was adopted.

Ordered, That Mr. Farnsworth so inform the House.

Mr. Bunker offered the following:

Resolved, That so much of the Governor's message as refers to military affairs be referred to the military committee; so much thereof as refers to county organization, to the Committee on Townships

and County Organization; and so much thereof as refers to the finances of the State, to the Finance Committee.

On motion of Mr. Hubbard, the following was added at the end of said resolution: "and so much as refers to Humane and Criminal Institutions, to a Committee on Humane and Criminal Institutions, to be appointed by the President as one of the standing Committees of the Senate."

And as amended, the resolution was adopted.

The President appointed, under said resolution, Messrs. Hubbard, Dunbar, and Carskadon.

On motion of Mr. Slack,

Resolved, That so much of the Governor's message as relates to the recommendation of the appointment of a State Geologist, be submitted to a special committee to be appointed by the President for that purpose.

The President appointed under this resolution, Messrs. Slack, Young, and Mahon.

On motion of Mr. Brown,

Resolved, That the Committee on Courts of Justice and General Laws be requested to inquire into the expediency of providing by law for the sale of real estate returned delinquent for the non-payment of taxes levied for the use of counties, townships, free schools, roads, or for the support of the poor.

Mr. Phelps offered the following:

Resolved by the Legislature of this State, That the Committee on Humane and Criminal Institutions, be and are hereby instructed to inquire into the expediency of reporting a bill fixing the county jail of Mason county as the temporary State prison.

The resolution was laid over.

A message from the House of Delegates, by Mr. Lamb, announced that the House had agreed to the joint resolution in regard to the printing of the Governor's message, with an amendment adding thereto the words: "and one thousand copies each of the accompanying documents," and that it had passed the following joint resolution:

Resolved, (the Senate concurring,) That the Committee on Taxation and Finance, on Military Affairs, on the Judiciary, and on Counties, Townships, and Municipal Corporations, of the two Houses, sit as joint committees whenever so requested by the chairman of either of said committees.

On motion of Mr. Carskadon, the Senate agreed to the House amendment to the first named resolution.

Ordered, That Mr. Carskadon so inform the House.

On motion of Mr. Hubbard, the second named resolution was amended by inserting after "judiciary" the words "on Humane and

Criminal Institutions;" and on motion of Mr. Atkinson, it was further amended by inserting after "Institutions," the words "on Education."

On motion of Mr. Bunker, it was further amended by striking out the words "chairman of either of said," and inserting in lieu thereof the words "chairman of the two corresponding."

Mr. Phelps moved to strike out the words "as joint committees," and insert the words "for purposes of consultation."

But pending this motion, on motion of Mr. Atkinson, the resolution was tabled.

And on motion of Mr. Bunker, the Senate adjourned.

THURSDAY, JANUARY 21, 1864.

The Senate was opened with prayer by Mr. Phelps, a member of the Senate.

The journal was read and approved.

A message from the House of Delegates by the Clerk announced the passage of, and asked concurrence in the following:

"WHEREAS, The loyal people of West Virginia are being injured by the annoying and oppressive restrictions placed upon trade and commerce, under the regulations of the Treasury Department, now in force in said State:

AND WHEREAS, it is the deliberate opinion and conviction of the people of the State, as well as the military authorities located in the same, that such regulations are not calculated to obtain their only legitimate object, namely, the prevention of the passage of supplies to districts within the control of the enemy:

Therefore be it Resolved by the Legislature of West Virginia, That our Senators in Congress be instructed, and our Representatives be requested to represent these facts to the proper authorities at Washington; and to use their most earnest efforts to secure such modification of the trade regulation referred to, as will relieve the loyal people of the State from the grievances set forth in these resolutions.

Resolved, That the Governor of the State be requested to convey a copy of these resolutions to each of our Senators and Representatives at Washington.

Resolved, That the Governor be authorized to send one or more commissioners to Washington to aid in promoting the objects of these resolutions."

Mr. Haymond called for the yeas and nays upon the adoption of the said resolutions, and the demand being sustained they were adopted:

YEAS—Messrs. Stevenson, (President,) Atkinson, Brown, Bowen, Bunker, Carskadon, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—17.

NAYS—None.

On motion of Mr. Brown,

Resolved, That the Committee on Townships and County Organization and Municipal Corporations be requested to inquire into the expediency of so amending the General Election law that the election of Township Officers may be declared by the Supervisors of the several townships, and that said committee report by bill or otherwise.

On motion of Mr. Brown,

Resolved, That the Committee on Courts of Justice and General Laws, be requested to inquire into the expediency of extending the time within which county and township officers are required to qualify and give bond.

On motion of Mr. Bunker,

Resolved, That the Committee on Courts of Justice and General Laws, be instructed to inquire into the expediency of so amending the present law as to give constables jurisdiction in any part of the county in which they are elected, and that said committee report by bill or otherwise.

On motion of Mr. Phelps,

Resolved, That the Committee on Courts of Justice and General Laws, inquire into the propriety and expediency of abolishing the Delivery Bond System and giving the debtor equal time by taking and stay in the Clerk's office before the Clerk, giving bond and security, to have the force of execution at the end of the stay, without notice, and gaining the same length of time and indulgence; and that the committee report by bill or otherwise.

On motion of Mr. Maxwell,

Resolved, That the rules of the Senate be altered so that the name of the standing committee styled the "Committee on Courts of Justice and General Laws," shall hereafter be called the "Committee on the Judiciary."

On motion of Mr. Maxwell,

Resolved, That the credentials of the newly elected members of the Senate be referred to the Committee on Privileges and Elections.

And on motion of Mr. Phelps, the Senate adjourned.

FRIDAY, JANUARY 22, 1864.

Prayer by Rev. Mr. Brockunier.

The journal was read and approved.

On motion of Mr. Phelps the joint resolution offered by him on Wednesday was taken up, and by leave he withdrew it.

On motion of Mr. Brown,

Resolved, That the Committee on Humane and Criminal Institutions, be requested to inquire into the expediency of providing by law for the support of paupers within the counties of this State, and that it report by bill or otherwise.

On motion of Mr. Hubbard,

Resolved, That the Committee on the Judiciary inquire into the expediency of so modifying the ordinary form of releasing deeds of trust as to authorize the acknowledgment of release before the Recorder, with authority to endorse the same on the original deed of trust.

On motion of Mr. Young,

Resolved, That the Committee on the Judiciary inquire into the propriety of enacting a law permitting suit to be brought in any county of the State, against rebels who have been, within the last three years, or are now, citizens of any county of the State, where civil courts are now suspended.

On motion of Mr. Carskadon,

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of altering and amending "an Act for the collection of taxes," passed December 7, 1863, and report by bill or otherwise.

On motion of Mr. Maxwell,

Resolved, That the Committee on Finance and Claims, be requested to inquire into the expediency of so amending the law in relation to the collection of taxes as to make the property of any person in possession of real estate subject to the payment of taxes assessed thereon.

On motion of Mr. Farnsworth,

Resolved, That the Committee on the Judiciary, inquire into the expediency of providing that the Board of Supervisors shall declare who of the justices elected under the provisions of law shall be declared the successors of the old magistrates who are now out of office; and report by bill or otherwise.

On motion of Mr. Hubbard,

Resolved, That the Committee on the Judiciary, inquire into the expediency of establishing two grand jury terms in the year instead of four as now provided by law.

On motion of Mr. Dunbar,

Resolved, That the Committee on the Judiciary, be instructed to inquire into the expediency of making provisions for paying the State troops who have been in the service of the State, and also to pay those troops that are now being raised, known as minute men; and that they report by bill or otherwise.

On motion of Mr. Brown,

Resolved, That that the Committee on Privileges and Elections, inquire into the expediency of so amending the sixty third section of the general election law, as to prevent the evasion of the law by persons who may declare themselves candidates for office, solely for the purpose of such evasion.

On motion of Mr. Phelps,

Resolved, That the Committee on Humane and Criminal Institutions, be and are hereby instructed to inquire into the expediency

of reporting a bill fixing the county jail of Mason county as the temporary State prison.

On motion of Mr. Bunker,

Resolved, That the Committee on Internal Improvements, &c., be instructed to inquire into the expediency of transferring to the counties of Monongalia and Preston, that part of the Maryland Turnpike Road that is constructed in said counties from the east side of Cheat River to its terminus and report by bill or *alias*.

Mr. Carskadon introduced the following bill, which was read the first time, and its printing dispensed with.

Senate Bill No. 1, "a Bill to authorize suits to be brought in the county of Preston in cases heretofore cognizable in certain other counties."

On motion of Mr. Carskadon, Mr. Boggess, the doorkeeper, was granted leave of absence for a few days.

On motion of Mr. Maxwell, Mr. Atkinson was granted leave of absence for two days,

And on motion of Mr. Mahon the Senate adjourned.

SATURDAY, JANUARY 23, 1864.

After prayer by Mr. Young, member of the Senate, the journal was read and approved.

Mr. Farnsworth presented a petition from Henry H. Leigh and others of Randolph county, praying that a certain portion of said county be annexed to the county of Upshur, which was read and referred to the Committee on Townships, &c.

On motion of Mr. Dunbar,

Resolved, That the Committee on Humane and Criminal Institutions be instructed to inquire into the expediency of reporting a bill for the relief of the wives and families of soldiers who are outside the lines of the Union army, and that they be instructed to report as soon as practicable.

On motion of Mr. Brown,

Senate Bill No. 1, "a Bill to authorize suits to be brought in the county of Preston, in cases heretofore cognizable in certain other counties," was referred to the Committee on the Judiciary.

And on motion of Mr Hubbard, the Senate adjourned.

MONDAY, JANUARY 25, 1864.

Prayer by Rev. Mr. Ball.

Journal read and approved.

A message from the House of Delegates, by the Clerk, announced the passage of and asked concurrence in the following:

Resolved by the Legislature of West Virginia, That the Auditor be authorized to employ an additional clerk, at a salary not exceeding one thousand dollars per annum.

And the following :

Resolved, by the Legislature of West Virginia, That the Governor be authorized and requested to procure and present to the Seventh West Virginia Volunteer Infantry, a suitable flag with the following inscription: Romney, October 26, 1861; Bloomery, February 13, 1862; Harrison's Landing, July 4, 1862; Antietam, September 17, 1862; Fredericksburg, December 13, 1862; Chancellorsville, May 3, 1863; Gettysburg, July 2 and 3, 1863; Bristow Station, October 14, 1863; and Locust Grove, November 27, 1863; and that the expense be defrayed out of the money appropriated for the contingent expenses of the chief executive office.

And the following :

Senate Bill No. 1, "a Bill supplementary to the act to provide for the relief of the families of soldiers."

Both of said resolutions were adopted.

The said bill was read the first time.

On motion of Mr. Hubbard, the case being urgent and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and said bill read the second time, and referred to the Committee on Finance and Claims.

Mr. Rollyson offered the following joint resolution, which was laid over:

Resolved by the Legislature of West Virginia: On behalf of the loyal people of the State, that our prompt acknowledgments and heartfelt thanks are hereby most gratefully tendered to Brig. Gen. W. W. Averill, and the officers and troops under his command, for their brilliant victory at Droop Mountain, in November last, and for their more recent and very hazardous but successful campaign through Roanoke and other counties of Virginia, the results of which have proved so damaging to the rebel cause.

Resolved, That the determined bravery and patriotism exhibited by the volunteer troops who have united their arms for the maintenance of constitutional liberty on this continent, and for the protection of the liberties, fortunes, and lives of our people against the despotic usurpations and assaults of the so-called Confederate States, justly entitle said troops to be honored by all loyal people. Our prayer to the God of Battles shall be for their success on the battle field, and for their long and continued enjoyment of the permanent peace soon to be conquered by their valor.

Resolved, That the Governor of this State be, and is hereby requested to transmit a copy of these resolutions to the commanding officer of each regiment that was engaged in the battle of Droop Mountain, and those engaged in the campaign through Roanoke and other counties.

On motion of Mr. Young,

Resolved, That a special committee be appointed to draft a joint resolution or resolutions, endorsing the administration of Abraham Lincoln, President of the United States, recommending him to the suffrage of the people of our State, as well as to the people of the nation, thus continuing him in the presidential chair a second term.

The President appointed under this resolution, Messrs. Young, Brown, and Phelps.

On motion of Mr. Bowen,

Resolved, That the Judiciary Committee be requested to examine and report as to whether or not any change is necessary respecting the relationship in marriage.

On motion of Mr. Brown,

Resolved, That the Committee on Military Affairs inquire and report as to the expediency of providing a mode by which all money advanced or subsistence or other thing furnished by this State or by any county or citizen thereof in aid of the suppression of the rebellion, or in procuring volunteers for the service of the United States, may be ascertained and audited, to the end that such expenditures may be reimbursed from the Federal Treasury.

The President announced that Mr. Farnsworth was absent at Washington on official business.

And on motion of Mr. Young, the Senate adjourned.

TUESDAY, JANUARY 26, 1864.

After prayer by Rev. Mr. Ball, the journal of yesterday was read and approved.

Mr. Maxwell, from the Committee on the Judiciary, reported back Senate Bill No. 1, "a Bill to authorize suits to be brought in the county of Preston in cases heretofore cognizable in certain other counties," with a recommendation that it pass to its engrossment with the following amendments:

1. Strike out of the 4th line the words, "now pending or."
2. Strike out of the 6th line the words "prosecuted or," and insert in place of them the word "hereafter."
3. Add at the end of the bill: "but nothing herein contained shall be construed to effect any provision of law for the limitation of actions or suits."

The amendments were all adopted.

And on motion of Mr. Carskadon, the bill was laid on the table.

Mr. Maxwell, from the same committee, reported adversely upon Mr. Young's resolution in regard to suits against rebels, and upon Mr. Bowen's resolution in regard to the relationship in marriage.

Mr. Brown, from the Committee on Finance and Claims, reported back House Bill No. 1, "a Bill supplementary to the act to provide

for the relief of the families of soldiers," with a recommendation that it pass; and it was read the third time and passed with its title:

YEAS—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Carskadon, Dunbar, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—17.

NAYS—None.

"Mr. Brown, from the same committee, reported adversely upon the resolution of Mr. Maxwell, in relation to making the property of any person in possession of real estate subject to payment of taxes assessed thereon.

Mr. Hubbard, from the Committee on Humane and Criminal Institutions, reported the following bill, which was read the first time:

Senate Bill No. 2, "a Bill for the relief of the families of soldiers of this State, living beyond the lines of the Union army."

Mr. Brown moved that the printing of said bill be dispensed with, but the motion was disagreed to.

Mr. Carskadon, from the Committee on Privileges and Elections, submitted the following report:

That according to returns made, John H. Atkinson, James Burley, John J. Brown, Daniel Haymond, Edward S. Mahon, D. D. T. Farnsworth, John M. Phelps, John B. Bowen, William S. Dunbar, and Aaron Bechtol, have been duly elected from their several districts for the term commencing January 1st, 1864, who, (except James Burley,) together with the Senators holding over, (except William H. Copley,) have taken the proper oaths of office; and are entitled to mileage coming to and returning from the capital, for the several distances set forth opposite their names, viz:

1st District,	John H. Atkinson,	-----	36 miles.
"	"	Chester D. Hubbard,	-----00 "
2d	"	James Burley,	-----12 "
"	"	Aaron Hawkins,	-----77 "
3d	"	Edward C. Bunker,	-----96 "
"	"	John J. Brown,	-----140 "
4th	"	Daniel Haymond,	-----166 "
"	"	Edwin Maxwell,	-----150 "
5th	"	William E. Stevenson,	-----203 "
"	"	Edward S. Mahon,	-----239 "
6th	"	D. D. T. Farnsworth,	-----150 "
"	"	William D. Rollyson,	-----192 "
7th	"	Greenbury Slack,	-----340 "
"	"	John M. Phelps,	-----239 "
8th	"	John B. Bowen,	-----338 "
"	"	William H. Copley,	-----220 "
9th	"	Samuel Young,	-----201 "
"	"	William S. Dunbar,	-----400 "
10th	"	James Carskadon,	-----187 "
"	"	Aaron Bechtol,	-----255 "

Mr. Hubbard moved to amend said report by striking out the words "and returning from," but the motion did not prevail.

The report was then adopted.

Mr. Brown presented a petition from citizens of Tucker, praying an increase of the commission allowed the sheriff or collector of that county, in order to insure the collection of the revenue, which was read and referred to the Committee on Finance and Claims.

Mr. Young presented a petition from the officers and soldiers of Co. F, 6th West Virginia Infantry, praying the passage of a prohibitory liquor law.

On motion of Mr. Hubbard, it was laid on the table, to await the raising of a committee on that subject.

On motion of Mr. Mahon,

Resolved, That so much of the Governor's message as relates to the organization of Independent State Military Companies be referred to the Committee on Military Affairs, with the request that they give it that early consideration the interest of the State requires, and which its importance demands.

On motion of Mr. Phelps,

Resolved, That the Committee on the Judiciary inquire and report as to the expediency of so amending the acts of last session of the Legislature as to give justices jurisdiction in cases of assault and battery, in such township as the justice may reside in, or in which the offense may have been committed.

On motion of Mr. Hubbard,

Resolved, That the Committee on Privileges and Elections inquire into the expediency of fixing by law the distance from each county in the State to the capital by the most direct route.

On motion of Mr. Mahon,

Resolved, That the Committee on Township and County Organization take into consideration the propriety of assessing the counties by township assessors.

Mr. Dunbar, by leave, introduced Senate Bill No. 3, "a Bill releasing certain counties from paying taxes," which was read the first time.

And on motion of Mr. Bowen, the Senate adjourned.

WEDNESDAY, JANUARY 27, 1864.

The journal was read and approved.

A message from the House of Delegates by the Clerk, announced the passage of and asked concurrence in the following:

Resolved by the Legislature of West Virginia, That on Tuesday, the 16th day of February next, at 11 o'clock, A. M., the Senate and House of Delegates proceed to elect a State Superintendent of Free Schools, for the State of West Virginia.

The resolution was adopted.

Mr. Maxwell, from the Committee on the Judiciary, reported ad-

versely upon the resolution requesting them to inquire as to the expediency of establishing two Grand Jury Terms yearly instead of four.

On motion of Mr. Bunker,

Resolved, That the Committee on Military Affairs inquire and report as to the expediency of prescribing a more effective method of instruction for the officers of the militia of this State.

On motion of Mr. Brown,

Resolved, That the Committee on Internal Improvements and Navigation, inquire and report as to the expediency of this State assuming the payment of so much of the debt of Virginia, contracted prior to the first day of January, 1861, as was created for works of Internal Improvements within the limits of this State, in part fulfilment of her constitutional engagements to pay an equitable proportion of the said debt.

On motion of Mr. Phelps,

Resolved, That the President appoint a special committee of three upon the subject of Temperance.

The President appointed under said resolution, Messrs. Phelps, Young and Bechtol.

Mr. Young presented a petition from the ladies of Rowlesburg, praying the passage of a prohibitory liquor law, which was referred to the Committee on Temperance.

On motion of Mr. Hubbard, the petition offered yesterday by Mr. Young was taken up, and referred to the same committee.

On motion of Mr. Bunker,

Senate Bill No. 3, "a Bill releasing certain counties from paying taxes," was referred to the Committee on the Judiciary.

On motion of Mr. Hubbard,

Senate Bill No. 2, "a Bill for the relief of the families of soldiers of this State, living beyond the lines of the Union Army," was referred to the Committee on Military Affairs.

Senate Bill No. 1, "a Bill to authorize suits to be brought in the county of Preston, in cases heretofore cognizable in certain other counties," was read the second time, and ordered to be engrossed.

Mr. Carskadon offered the following which was laid over :

Resolved by the Legislature of West Virginia, That three Commissioners be appointed by the Legislature, for the purpose of looking out a proper site for the permanent Capital of this State, who shall report the advantages of the place selected as well as those of other prominent localities, to the next session of the Legislature.

Mr. Phelps offered the following :

Resolved by the Legislature of West Virginia, That as an evidence of their appreciation of the heroism, and valor of the officers and soldiers of the 4th West Virginia Regiment of Volunteer Infantry,

in the battles of Charlestown, Vicksburg, Jackson and Mission Ridge, the Governor is hereby authorized and requested to present to the said regiment, on behalf of the loyal citizens of this State, a flag adapted to their arm of the public service, with the coat of arms of this State, and the following inscription placed legibly upon it; viz: Charleston W. Va., Sept. 13, 1762; Vicksburg, Miss., May 19 and 22, 1863; Jacksonn, Miss., July 9 and 12, 1862; Mission Ridge, Tenn., Nov. 25, 1863. The expense thereof to be paid out of the contingent fund placed at the disposal of the Governor.

On motion of Mr. Phelps, the rule was suspended for the purpose and the resolution passed.

Ordered, That Mr. Phelps so inform the House.

Mr. Slack offered the following:

Resolved, That a committee of three be appointed by the President to inquire of the Delegates and Senators of the various counties and districts and of other persons, what political or citizen prisoners of this State are now held by the rebels in their various prisons in the south, stating their names, counties and the position or office, if any, with which they were connected; and report at as early a day as practicable to this body.

On motion of Mr. Phelps, said resolution was amended by inserting after the word "connected," the words "and also the names and position of prominent rebel citizens who reside in the locality from which said loyal citizens were taken."

Mr. Maxwell moved to amend the said resolution by inserting before the amendment of Mr. Phelps, the words "and time and place of their capture," which was agreed to.

On motion of Mr. Bowen, it was further amended by adding after the amendment of Mr. Maxwell, the words "and, when practicable, by whom or by what authority arrested."

The resolution, as amended, was then adopted; and the President appointed Messrs. Slack, Carskadon and Bunker, such committee.

And on motion of Mr. Hubbard, the Senate adjourned.

THURSDAY, JANUARY 28, 1864.

After prayer by Rev. Mr. Brockunier, the Journal was read and approved.

Mr. William H. Copley, one of the members of the Senate holding over, appeared in the Senate and was qualified according to law.

A message from the House of Delegates by the Clerk announced it had passed and asked concurrence in the following resolutions:

Resolved by the Legislature of West Virginia, That the Governor be requested to confer with military authorities, and obtain from

them such information as they deem it consistent with the public interest to communicate respecting the measures adopted or contemplated for the defence of West Virginia.

Resolved further, That the Governor having obtained the necessary information, be requested to inform the two houses what measures can be adopted by the Legislature to render more efficient the defense of the State.

The resolutions were adopted.

Mr. Brown, from the Committee on Finance and Claims, reported the following bill, which was read the first time, and its printing dispensed with.

Senate Bill No. 4, "a Bill in relation to the collection of the public revenue for the year 1863."

On motion of Mr. Phelps,

Resolved, That the Committee on the Judiciary inquire and report as to the expediency of proposing amendments to the 3d Article of the Constitution so as to prevent rebels in arms, or those who have given material aid and comfort to the enemy, from holding any office or exercising the right of suffrage in this State; and also of proposing amendments to the 10th and 12th sections of article 4 of the Constitution, so as that the counties of Marion and Wood may have two delegates each.

Mr. Young presented a petition from citizens of Preston county in favor of a prohibitory liquor law, which was read and referred to the Committee on Temperance.

Senate Bill No. 1, "a Bill to authorize suits to be brought in the county of Preston in cases heretofore cognizable in certain other counties," was read the third time and passed with its title.

YEAS—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Hawkins, Haymond, Mahon, Maxwell, Phelps, Slack, and Young—16.

NAYS—None.

On motion of Mr. Dunbar,

Resolved, That the Committee on the Judiciary, inquire and report as to the expediency of reporting a bill legalizing marriages in certain unorganized districts or counties where license could not be obtained, and where such license or permit has been given by military commanders or other officers not having full authority to grant such license.

And on motion of Mr. Young, the Senate adjourned.

FRIDAY, JANUARY 29, 1864.

After prayer by Rev. Mr. Ball, the journal was read and approved.

A message from the House of Delegates by the Clerk announced that the House had agreed to the Senate joint resolution authoriz-

ing the Governor to present a flag to the 4th. West Virginia Regiment of Infantry, and that it had passed and asked concurrence in House Bill No. 4, "a Bill in relation to Divorces."

The bill was read the first time.

Mr. Maxwell, from the Committee on the Judiciary, reported back Senate Bill No. 3, "a Bill releasing certain counties from paying taxes," with a recommendation that it do not pass to engrossment, it being in the opinion of the committee inexpedient to legislate upon the subject at this time.

On motion of Mr. Young, the bill was laid on the table.

Senate Bill No. 4, "a Bill in relation to the collection of the Public Revenue for the year 1863," was read the second time and ordered to be engrossed.

Mr. James Burley, the member returned for the second district, appeared in the Senate and was qualified according to law.

On motion of Mr. Carskadon the Senate took up the resolution offered by him on Wednesday last, in reference to a permanent Capital of the State.

Mr. Hubbard moved that it be amended by inserting after the word "Commissioners," the words, "one from each Congressional district," which was agreed to.

On motion of Mr. Mahon, it was further amended by striking out the words "the place selected as well as those of."

Mr. Brown demanded the yeas and nays upon the passage of the resolution; and the demand being sustained it was rejected by the following vote:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Carskadon, Mahon, Maxwell, Phelps, Slack, and Young—9.

NAYS.—Messrs. Atkinson, Brown, Bunker, Burley, Copley, Dunbar, Hawkins, Hubbard, and Rollyson—9.

On motion of Mr. Mahon,

Resolved, That the Committee on Finance and Claims, inquire and report as to the expediency of releasing the soldiers now in the field from capitation tax during the residue of their term of service in the United States Army.

Mr. Young offered the following joint resolutions which were laid over one day:

Resolved by the Legislature of West Virginia, That the Governor be requested to present to the first, second, third, fifth, sixth, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, and fifteenth West Virginia Volunteer Infantry, and first, second and third Cavalry Regiments, suitable flags, with such inscriptions of battles in which they may have been engaged, as may be designated by the regiments. The expense to be defrayed out of the money appropriated for the contingent expenses of the chief executive office.

Resolved, That the Governor be requested to forward a copy of these resolutions to the Commandants of the Regiments herein named, so that they may inform the Governor what inscriptions they would have on their banners.

And on motion of Mr. Bowen, the Senate adjourned.

SATURDAY, JANUARY 30, 1864.

After prayer by Rev. Mr. Ball, the Journal was read and approved.

A message from the House of Delegates by the Clerk announced the adoption of a "Joint resolution authorizing the Adjutant General to audit certain militia claims;" "a Joint resolution respecting the act of Congress for endowment of Agricultural Colleges;" and the passage of House Bill No. 11, "a Bill requiring copies of certain official bonds to be transmitted to the Auditor;" in all which it asked concurrence.

On motion of Mr. Maxwell the first named resolution was referred to the Committee on Military Affairs.

On motion of Mr. Brown the second named resolution was adopted.

The said bill was read the first time.

Mr. Maxwell from the Committee on the Judiciary, asked that the committee be released from any further consideration of the resolution concerning the pay of the State troops, who have been in the service of the State and of those now being raised, known as minute men, and that it be referred to the Committee on Military Affairs: and that the committee also be released from any further consideration of the resolution looking to the amendment of "an Act for the collection of taxes, passed Dec. 7, 1863" and that it be referred to the Committee on Finance and Claims; all of which was agreed to.

Mr. Maxwell from the same committee reported adversely upon the resolution relating to the jurisdiction of justices in cases of assault and battery.

Mr. Phelps moved that the resolution be recommitted to the committee, but it was not agreed to.

Mr. Mahon moved that the said report be laid on the table, which likewise failed.

The report was then adopted.

Mr. Slack by leave introduced Senate Bill No. 5, "a Bill requiring oaths of suitors in certain cases," which was read the first time.

On motion of Mr. Brown,

Resolved, That the Committee on Finance and Claims, be requested to audit the claims of Moses B. Butterfield, late Attorney for the

Commonwealth, and A. D. Moore late Sheriff of the county of Tucker, for services rendered by the said officers, in their official capacity, to the commonwealth of Virginia, prior to the 20th day of June, 1863; and that said committee report the justness of said claims and the obligation of this State to pay the same, and what amount, and whether the same should be paid by direct appropriation from the treasury; and that it report by bill or otherwise.

Mr. Hubbard presented the memorial of W. F. Peterson and N. C. Arthur, in reference to taxation on Foreign Insurance Companies, which was referred to the Committee on Finance and Claims.

On motion of Mr. Atkinson the Senate re-considered the vote by which Senate Bill No. 4, "a Bill in relation to the collection of the Public Revenue for the year 1863," was read the second time and ordered to be engrossed.

Mr. Slack moved to amend the same by inserting after the word "law" near the end of the bill, the words "or within five months after he shall have received the Commissioner's books," but the motion was rejected.

The bill was then read the second time and ordered to be engrossed.

Mr. Phelps from the Committee on Military Affairs, reported back Senate Bill No. 2, "a Bill for the relief of the families of soldiers of this State, living beyond the lines of the Union Army," with the following amendments:

1. Strike out of the title all after the word "State."
2. Strike out all after the word "visit" in the third line to the word "and" in the 5th line, and insert in lieu thereof the words "all West Virginia regiments in the United States Army."
3. Strike out of the second section the words "living in the parts of the State before named."
4. Add the following section:

"The Commissioner shall be required to give bond with approved security in the sum of ten thousand dollars for the faithful performance of his duties, which bond shall be lodged in the hands of the Secretary of the State."

Mr. Hubbard offered the following substitute for the said second amendment:

Strike out the words "parts of the State now without the lines of the Union Army," and insert "the counties of this State which have at present no county organization."

The substitute was adopted.

Mr. Hubbard moved to amend the 3d amendment by inserting in place of the words proposed to be stricken out, the words "living in such counties," which was agreed to, and the amendment, as amended, was agreed to.

On motion of Mr. Brown the 4th amendment was amended by

striking out the words "lodged in the hands," and inserting the words "filed in the office."

The 4th amendment, as amended was then rejected.

Mr. Hubbard moved to amend the said first amendment by adding thereto the words "and insert the words 'living in unorganized counties,' " which was agreed to, and, as amended, was adopted.

On motion of Mr. Carskadon the blank in the 13th line was filled with "five."

Mr. Copley moved that the bill be so amended as to authorize the appointment of two commissioners instead of one.

Mr. Slack moved to amend the amendment so as to authorize the appointment of one or more commissioners, which was agreed to, and, as amended, the amendment was adopted.

The bill was then read the second time, and ordered to be engrossed.

And on motion of Mr. Copley the Senate adjourned.

MONDAY, FEBRUARY 1, 1864.

After prayer by Rev. Mr. Blakeney, the Journal was read and approved.

A message from the House of Delegates by the Clerk, announced that it had passed and asked concurrence in House Bill No. 10, "a Bill to allow Alfred Brown to build a mill at Red House Shoals, in Putnam county."

The bill was read the first time.

Mr. Brown, from the Committee of Finance and Claims, reported adversely upon the resolution referred to said committee, in regard to certain claims against the Commonwealth of Virginia, due to citizens of Tucker county; and also upon the resolution proposing to release soldiers from the payment of capitation tax.

The first report was adopted.

On motion of Mr. Phelps, the latter was laid on the table.

Senate Bill No. 2, "a Bill for the relief of families of soldiers of this State living in unorganized counties," was read the third time and passed with its title:

YEAS—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Carskadon, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, and Slack—16.

NAYS—None.

Senate Bill No. 4, "a Bill in relation to the collection of the Public Revenue for the year 1863," was read the third time and passed with its title:

YEAS—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Carskadon, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Phelps, Rollyson, and Slack—14.

NAYS—Mr. Maxwell—1.

House Bill No. 4, "a Bill in relation to divorces," and House Bill No. 11, "a Bill requiring copies of certain official bonds to be transmitted to the Auditor," were each read the second time and referred to the Committee on the Judiciary.

On motion of Mr. Dunbar, Senate Bill No. 3, "a Bill releasing certain counties from paying taxes," was taken up."

On motion of Mr. Dunbar, it was amended by adding at the end the words "provided, however, that no person who has wilfully borne arms or aided in the rebellion against the government, shall have the benefit of this act."

On motion of Mr. Rollyson, the county of Braxton was added after McDowell.

On motion of Mr. Mahon, the county of Calhoun was added after Braxton.

On motion of Mr. Carskadon, the counties of Hardy, Hampshire, Pendleton, Morgan, Berkeley, and Jefferson, were added after Calhoun.

Mr. Hubbard moved that the bill be laid on the table, which was agreed to.

On motion of Mr. Farnsworth,

Resolved, That the Committee on Township and County Organization take into consideration the propriety of extending the time in which certain officers elected in the county of Upshur may qualify.

On motion of Mr. Bowen,

Resolved, That the Committee on Humane and Criminal Institutions be requested to inquire and report as to the expediency of changing or amending the law respecting paupers and the duties of overseers of the poor.

And on motion of Mr. Bowen, the Senate adjourned.

TUESDAY, FEBRUARY 2, 1864.

After prayer by the Rev. Mr. Blakeney, the Journal was read and approved.

Mr. Farnsworth from the Committee on Internal Improvements and Navigation reported adversely upon the resolution concerning debts for works of Internal Improvements.

The report was adopted.

Mr. Farnsworth, from the same committee, reported the following bill which was read the first time :

Senate Bill No. 6, "a Bill requiring certain persons to take an oath."

Mr. Maxwell, from the Committee on the Judiciary, reported adversely upon the resolution concerning forthcoming bonds.

The report was adopted.

Mr. Maxwell, from the same committee reported back, House Bill No. 11, "a Bill requiring copies of certain official bonds to be transmitted to the Auditor," with a recommendation that it pass, with an amendment inserting after the word "office," in the fifth line, the words "which copies shall be filed and preserved in the Auditor's office."

This amendment was adopted; and the bill read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—20.

NAYS.—None.

Mr. Phelps, from the Committee on Military Affairs, reported adversely upon the resolution concerning the instruction of militia officers.

The report was adopted.

Mr. Phelps, from the same committee, reported the following bill, which was read the first time:

Senate Bill No. 7, "a Bill to authorize the Adjutant General to audit Military Claims against this State."

House Bill No. 10, "a Bill to allow Alfred Brown to build a mill at Red House Shoals, in Putnam county," was read the second time, and referred to the Committee on Internal Improvements and Navigation.

On motion of Mr. Rollyson,

Resolved, That the Committee on the Judiciary inquire and report as to the expediency of authorizing the Judges of Circuit Courts to appoint Clerks in counties where there are no organizations through which marriage licenses may issue.

Mr. Young presented a petition from citizens of Monongalia county, praying the passage of a prohibitory liquor law," which was read and referred to the Committee on Temperance.

And on motion of Mr. Bunker, the Senate adjourned.

WEDNESDAY, FEBRUARY 3, 1864.

After prayer by Rev. Mr. Blakeney, the Journal was read and approved.

Mr. Maxwell, from the Committee on the Judiciary, reported adversely upon the resolution offered by Mr. Rollyson yesterday; and the report was adopted.

Mr. Bunker, from the Committee on Townships, &c., reported the following bill, which was read the first time, and its printing dispensed with.

Senate Bill No. 8, "a Bill giving further time for officers elected at the first township election to qualify and execute bond."

On motion of Mr. Brown the bill was laid on the table.

Mr. Slack, from the special committee on the subject of the appointment of a State Geologist, made an informal report, stating that a bill upon the subject would be introduced in the House of Delegates, though one had been prepared by the Senate Committee, acceptable to both committees.

Mr. Young from the special committee to prepare a resolution endorsing the President of the United States, and recommending his re-election, submitted such resolution.

Mr. Brown, a minority of said committee, submitted a report declaring such a resolution ought not to be passed by a Legislative body.

On motion of Mr. Phelps, both reports were re-committed.

Mr. Farnsworth offered the following joint resolution, which was laid over one day :

Resolved, by the Legislature of West Virginia, That the Governor be authorized to procure a flag for the 10th Regiment West Virginia Volunteer Infantry, in honor of the faithful services and hard battles through which they have victoriously passed under the brave leadership of Col. Harris, who so bravely defeated the rebels on the 2nd and 3rd of July, 1863, at the town of Beverly, outnumbered by over three to one, under the lead of the rebel W. L. Jackson, thereby saving our state from a destructive raid; and that there be inscribed on the banner: "The brave 10th West Virginia Volunteer Infantry, led by Col. Harris."

Mr. Young presented a petition from citizens of Rowlesburg, praying the passage of a prohibitory liquor law, which was read and referred to the Committee on Temperance.

On motion of Mr. Atkinson,

Senate Bill No. 5, "a bill requiring oaths of suitors in certain cases," was referred to the Committee on the Judiciary.

On motion of Mr. Hubbard, the Senate adjourned.

THURSDAY, FEBRUARY 4, 1864.

After prayer by Rev. Mr. Blakeney, the Journal was read and approved.

A message from the House communicated the passage of the following bill, and asked concurrence therein:

House Bill No. 12, "a Bill relating to the fees to jailors."

The bill was read the first time.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported back House Bill No. 10, "a Bill to allow Alfred Brown to build a mill at Red House Shoals, in Putnam county," recommending its passage with the following amendment:

Add at the end of 1st section the words, "by paying to said board such amount as they may deem the privilege worth."

The amendment was agreed to; and the bill read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Dunbar, Farnsworth, Hawkins, Haymond, Mahon, Maxwell, Phelps, Rollyson, and Slack—17.

NAYS.—None.

Mr. Maxwell, from the Committee on the Judiciary, reported back House Bill No. 4, "a Bill in relation to divorces," with the two amendments following, and recommending that on their adoption, the bill pass:

1. Strike out of line No. 3 the words "or has heretofore done so."
2. Strike out the second section.

He also reported adversely upon the resolution of Mr. Dunbar, legalizing certain marriages, for the reason that they are legal, or if not legal, the Legislature has no power to make them so.

The report was adopted.

He also reported adversely upon the resolution of Mr. Phelps, concerning certain amendments to the 3d and 4th articles of the Constitution.

On motion of Mr. Carskadon, the report was adopted.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported the following bill, which was read the first time, and its printing dispensed with:

Senate Bill No. 9, "a Bill to amend the first section of an act entitled 'an Act to prescribe how notice shall be given of applications to the Legislature for special acts concerning banks of circulation or internal improvement companies,' passed October 24, 1863."

On motion of Mr. Farnsworth, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill read the second time, and ordered to be engrossed; and being forthwith engrossed,

On motion of Mr. Farnsworth, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, and Slack—18.

NAYS.—None.

Mr. Atkinson, by leave, introduced the following bill which was read the first time, and its printing dispensed with:

Senate Bill No. 10, "a Bill to amend and re-enact the 1st section of an act entitled 'an Act supplementary to the act to provide for the relief of families of soldiers,' passed January 26, 1864."

On motion of Mr. Phelps, the bill was laid on the table.

Mr. Young, from the Special Committee appointed to draft a joint resolution endorsing Abraham Lincoln's administration, and recommending him to the favorable consideration of the people for re-election, submitted such a resolution, which was laid on the table.

On motion of Mr. Young,

Resolved, That the Committee on the Judiciary inquire into the propriety of reporting a bill prohibiting rebels, who have left the State of West Virginia, and gone into the so-called Southern Confederacy, from prosecuting suits at law, in this State against loyal persons.

On motion of Mr. Mahon, the Senate adjourned.

FRIDAY, FEBRUARY 5, 1864.

Prayer by Rev. Mr. Blakeney.

Journal read and approved.

A message from the House communicated the passage of House Bill No. 9, "a Bill further to prescribe the powers and duties of Justices and Constables," and asked concurrence.

The bill was read the first time.

Mr. Maxwell from the Committee on the Judiciary, reported that it is unnecessary to legislate upon the question of prohibiting disloyal persons from prosecuting suits at law against loyal men because the matter is already provided for.

The report was adopted.

On motion of Mr. Atkinson,

Senate Bill No. 10, "a Bill to amend and re-enact the first section of an act entitled 'an Act supplementary to the act to provide for the relief of the families of soldiers,' passed January 26, 1864," was taken up.

Mr. Burley offered an amendment authorizing the Board of Supervisors to exempt Volunteers from the payment of the tax proposed to be levied by the bill, and also to exempt the property of persons in cases where a portion or all of the members of a family who are liable to do military duty, are now in, or hereafter enter the service of the United States; and the amendment was agreed to.

The bill was then read the second time, and ordered to be engrossed.

House Bill No. 12, "a Bill relating to the fees of Jailors," was read the second time, and referred to the Judiciary Committee.

The Senate then adopted the two amendments proposed by the committee to House Bill No. 4, "a Bill in relation to Divorces;" and it was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Copley, Dunbar, Hawkins, Haymond, Mahon, Maxwell, Phelps, and Slack—15.

NAYS.—Messrs. Carskadon, Farnsworth, Rollyson, and Young—4.

Senate Bill No. 6, "a Bill requiring certain persons to take an oath," on its second reading was taken up.

Mr. Farnsworth moved to amend it by inserting in the 4th line, after "company," the words "all officers of cities or towns and all members of town or city councils" which was agreed to.

Mr. Slack moved further to amend by striking out of the 1st and 2d line the words "All persons obtaining any license for any privilege whatsoever, and ;" pending which,

On motion of Mr. Phelps, the bill was re-committed.

On motion of Mr. Rollyson,

Resolved, That a special committee be appointed to inquire into the expediency of providing for the inducement of domestic and foreign immigration to this State, and report by bill or otherwise.

The President appointed the following as such committee: Messrs. Rollyson, Slack, and Bunker.

On motion of Mr. Brown,

Resolved, That the Committee on the Judiciary, inquire and report as to the expediency of changing the fiscal year so that the same shall terminate with the calendar year.

On motion of Mr. Bowen,

Resolved, That the Committee on the Judiciary inquire and report as to the expediency of passing a law more explicit than the present law is, respecting the return of executions by constables.

On motion of Mr. Rollyson,

Resolved, That the Committee on the Judiciary inquire and report as to the expediency of authorizing the Governor to send persons of known disloyalty beyond the limits of this State.

On motion of Mr. Young,

Resolved, That the Committee on Internal Improvements inquire into the propriety of locating the Court House of Pocahontas county near the centre of the county.

Mr. Farnsworth offered the following joint resolution :

Resolved by the Legislature of West Virginia :

1. That in view of the recent disasters to the Federal cause in this department, among which is the late capture by the rebels of Brig. Gen. Scammon, commandant of the forces in the Kanawha Valley, we are of the opinion that the public interest would be promoted by the assignment to the command of the Department of West Virginia of an officer holding the rank and exercising the functions of the office of Major General.

2. That in carrying out the foregoing resolution, the President of the United States be and he is hereby respectfully requested to assign to the command of this department, either Major General Franz Sigel or Major General R. H. Milroy.

On motion of Mr. Phelps, the rule was suspended for the purpose of considering said resolution.

Mr. Phelps offered the following additional resolution as an amendment :

3. That our Senators and Representatives in Congress be requested to communicate these resolutions to the President of the United States.

This amendment was adopted.

Mr. Rollyson moved to strike out all of the first resolution concerning General Scammon, but the motion failed.

The resolutions were then adopted.

And on motion of Mr. Bowen, the Senate adjourned.

SATURDAY, FEBRUARY 6, 1864.

After prayer by Rev. Mr. Young, member of the Senate, the journal was read and approved.

On motion of Mr. Hubbard, the rule was suspended to allow him to offer the following resolution :

Resolved, That the House of Delegates be requested to return to the Senate the resolutions in reference to the appointment of a Major General for the Department of West Virginia, adopted by this House on yesterday and sent to them for concurrence.

Upon the passage of which, he demanded the yeas and nays, and they were ordered, but

On motion of Mr. Atkinson the resolution was laid on the table, and

On motion of the same, Senate Bill No. 10, "a Bill to amend and re-enact the first section of an act entitled 'an Act supplementary to the act to provide for the relief of the families of soldiers,' passed January 26, 1864," was taken up out of its order.

On motion of Mr. Brown the vote ordering the bill to engrossment was reconsidered, and the bill was amended,

On motion of Mr. Burley, by striking out all after the word "service" where it occurs for the second time, and

On motion of Mr. Atkinson by inserting the word "volunteered" after "heretofore" and the word "private" before "soldier," in the words added to the bill on yesterday.

The bill was then ordered to its engrossment, and being forthwith engrossed,

On motion of Mr. Atkinson, the case being urgent and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill was read a third time this day and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Phelps, Rollyson, Slack, and Young—18.

NAYS.—None.

Ordered, That Mr. Atkinson inform the House of Delegates thereof, and ask their concurrence.

The Senate resumed the consideration of the resolution offered by Mr. Hubbard, and rejected it.

YEAS.—Messrs. Stevenson, (President,) Atkinson, Brown, Haymond, and Hubbard—5.

NAYS.—Messrs. Bechtol, Bowen, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Mahon, Phelps, Rollyson, Slack, and Young—13.

On motion of Mr. Hubbard the Senate took a recess until 3 o'clock

3 O'CLOCK, P. M.

A message from the House announced that it had passed Senate Bill No. 4, "a Bill in relation to the collection of the public revenue for the year 1853," and had agreed to the amendment proposed by Senate to House Bill No. 10, "a Bill to allow Alfred Brown to build a floating mill at Red House Shoals in Putnam county."

Also that it had passed and asked concurrence in House Bill No. 3, "a Bill to amend the act to regulate elections by the people," and a "joint Resolution requiring a report from the Board of Public Works upon the condition of State roads."

The last named bill was read the first time.

On motion of Mr. Brown the said resolution was adopted.

Mr. Farnsworth from the Committee on Internal Improvements and Navigation, reported back Senate Bill No. 6, "a Bill requiring certain persons to take and oath," with the following amendments, which were agreed to.

1. Insert after "privilege" the words "in any business."

2. Strike out of the 2d line the words "members or."

3. Strike out of lines 3 and 4, the words "belonging to or connected with," and insert in lieu thereof the words "holding any office or appointment in."

4. Insert after "company" in line 4, the words "all officers of cities or towns, and all members of town or city councils."

On motion of Mr. Carskadon, the following was added as a new section.

"All acts or parts of acts in conflict with this act are hereby repealed."

The bill was then ordered to engrossment.

Mr. Maxwell from the Committee on the Judiciary reported back House Bill No. 12, "a Bill relating to the fees of jailors," and it was read a third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Carskadon, Farnsworth, Hawkins, Hubbard, Mahon, Phelps, and Rollyson—11.

NAYS.—None.

Mr. Maxwell from the same committee reported back, without amendment, Senate Bill No. 5, "a Bill requiring oaths of suitors in certain cases."

The bill was amended,

On motion of Mr. Bowen, by striking out of line 10, the words "this State," and inserting the words "the State of West Virginia,"

On motion of Mr. Farnsworth, by inserting after "agent," line 2, the words "assignee or attorney," and by adding at the end of the first section the following:

"And in all cases where it can be made appear by the defendant in any cause of action brought by an assignee that the assignor was disloyal at the time of making the assignment, or at any time previous to such assignment, had been engaged in any way whatever, either by sympathizing with, countenancing, or counseling those who have been in rebellion or borne arms against the Government of the United States, or in any way giving aid or comfort to the enemy or the rebellion; the same shall not be considered a legal assignment except so far as it may appear that the assignor was justly indebted to the assignee at the time of assignment, the full amount so assigned."

On motion of Mr. Slack by striking out of line 1, the words "residing in this State," by inserting at the end of line 9, the words "if he be an inhabitant of this State he shall also take an oath to support the Constitution," and by inserting after "obtained," in line 13, the words against an absent defendant."

The bill was then ordered to engrossment.

House Bill No. 9, "a Bill further to prescribe the powers and duties of Justices and Constables," was read the second time and referred to the Committee on the Judiciary.

Senate Bill No. 7, "a Bill to authorize the Adjutant General to audit military claims against this State," was read the second time and amended,

On motion of Mr. Hubbard, by striking out of lines 5 and 6, the words "since the organization of the restored government of Virginia," and inserting the same after the word "Virginia" in line 4; by striking out of lines 10 and 11, the words "charge the same to the State under authority of," and inserting in lieu thereof, the words "present the same to the Adjutant General with the authority under," by striking out of line 15, the word "necessary," by striking out of line 18, the words "from the evidence before him," and striking out all of the 2d section after the word "Governor" in line 21.

The bill was further amended,

On motion of Mr. Brown, by inserting the word "proper" before "vouchers" in line 13, and striking out of the same line, the words "sufficient to satisfy the Adjutant General."

On motion of Mr. Farnsworth, by inserting after "State" in line 18, the words, "or by any other person having authority so to do."

Mr. Hubbard offered the following as a substitute for the 3d section of the bill and it was adopted.

"3. The Governor is hereby authorized to appoint a special Commissioner to present these claims to the General Government and use his best efforts to secure their payment."

The bill was then ordered to engrossment.

Mr. Farnsworth presented a petition from citizens of Barbour and Upshur counties, praying the Legislature to fix a disputed line between the said counties, which on his motion was referred to the Committee on Township and County Organization, &c.

On motion of Mr. Young, the joint resolution proposing a presentation of flags to certain regiments of West Virginia Volunteers, was taken up, and

On motion of Mr. Hubbard, referred to the Committee on Military Affairs.

On motion of Mr. Farnsworth the joint resolution authorizing the Governor to present a flag to the 10th Regiment West Virginia Volunteer Infantry, was taken up, and

On motion of Mr. Carskadon, it was referred to the Committee on Military Affairs.

On motion of Mr. Rollyson,

Resolved, That the Committee on Military Affairs, inquire into the expediency of authorizing the Governor of this State to provide and present a suitable banner to the first Light Artillery Regiment of West Virginia.

On motion of Mr. Phelps, the Senate adjourned.

MONDAY, FEBRUARY 8, 1864.

Prayer by Rev. Samuel Barnes.

Journal read and approved.

A message from the House announced that it had passed Senate Bill No. 10, "a Bill to amend and re-enact the first section of an act entitled 'an Act supplementary to the act to provide for the relief of the families of soldiers,' passed January 26, 1864."

House Bill No. 3, "a Bill to amend the act to regulate elections by the people," was read the second time and referred to the Committee on Privileges and Elections.

On motion of Mr. Slack, the vote by which Senate Bill No. 5, "a Bill requiring oaths of suitors in certain cases," was ordered to engrossment, was reconsidered, and

On motion of the same, the bill was amended by inserting after "against" in line 14, the words "a non-resident or," and by inserting as a new section, to come in after the 2d, the following:

"3. In the case in the foregoing sections, when the party, plaintiff or defendant, is a corporation, and sues or defends by its corporate name, the affidavit required by this act may be made by the president or secretary of such corporation."

The bill was then ordered to engrossment.

Senate Bill No. 6, "a Bill requiring certain persons to take an oath," was read the third time.

Mr. Mahon moved to lay the bill on the table, but the motion failed.

On motion of Mr. Young, the bill was recommitted to the Committee on Internal Improvements and Navigation.

Senate Bill No. 7, "a Bill to authorize the Adjutant General to audit military claims against this State, was read the third time and passed:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen; Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Phelps, Rollyson, Slack, and Young—17.

NAYS.—None.

On motion of Mr. Bunker, the Senate adjourned.

TUESDAY, FEBRUARY 9, 1864.

Prayer by Mr. Carskadon, member of the Senate.

Journal read and approved.

A message from the House communicated the passage of, and asked concurrence in, House Bill No. 15, "a Bill declaring the Meat House Fork of Middle Island Creek, in the county of Doddridge, a public highway;" and it was read the first time.

Senate Bill No. 7, "a Bill requiring oaths of suitors in certain cases," was read the third time and passed with its title.

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Bunker, Carskadon, Dunbar, Farnsworth, Hubbard, Mahon, Phelps, Rollyson, Slack, and Young—14.

NAYS.—Mr. Brown—1.

Mr. Phelps, from the Committee on Military Affairs, reported back the joint resolution authorizing the Adjutant General to audit certain militia claims, recommending that it be adopted, which was agreed to.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported back Senate Bill No. 6, "a Bill requiring certain persons to take an oath," with a substitute therefor, which was adopted, and the bill ordered to engrossment.

On motion of Mr. Bunker,

Senate Bill No. 8, "a Bill requiring further time for officers elected at the first township election to qualify and execute bond," was taken up.

Mr. Bunker offered a substitute for said bill, which was adopted.

The bill was then ordered to engrossment; and being forthwith engrossed,

On motion of Mr. Bunker, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill read the third time and passed:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Carskadon, Dunbar, Hawkins, Hubbard, Mahon, Phelps, Rollyson, Slack, and Young—14.

NAYS.—None.

On motion of Mr. Bunker, the title was amended so as to read as follows: "A Bill giving certain officers further time to qualify and give bond."

Mr. Phelps moved to take up the resolution concerning the President and his administration.

Upon which question Mr. Young demanded the yeas and nays, and they were ordered, and the motion disagreed to.

YEAS.—Messrs. Stevenson, (President,) Bechtol, Carskadon, Dunbar, Mahon, Phelps, Slack, and Young—8.

NAYS.—Messrs. Bowen, Brown, Bunker, Copley, Farnsworth, Hawkins, Haymond, Hubbard, and Rollyson—9.

And on motion of Mr. Brown, the Senate adjourned.

WEDNESDAY, FEBRUARY 10, 1864.

Prayer by Rev. C. C. McCabe, Chaplain of the 116th Ohio Regiment of U. S. V.

The Journal was read and approved.

A message from the House communicated the passage of and asked concurrence in House Bill No. 14, "a Bill to authorize the Board of Public Works to employ Superintendents on Turnpikes belonging to the State;" House Bill No. 16, "a Bill further to provide for the Collection of Taxes;" House Bill No. 17, "a Bill to provide for repairing the road and rebuilding the bridges of the Sistersville and Salem Turnpike Company in the county of Tyler;" and House Bill, "a Bill to prescribe the time within which Justices and Constables must qualify."

Also, that it had passed Senate Bill No. 19, "a Bill to amend and re-enact the first section of an act entitled 'an Act to provide how notice shall be given of applications to the Legislature for special acts concerning banks of circulation and Internal Improvement Companies,' passed October 24, 1863."

And also that it passed Senate Bill No. 1, "a Bill to authorize suits to be brought in the county of Preston in cases heretofore cognizable in certain other counties," with an additional section, in which it asked concurrence.

The four first named bills were each read the first time.

On motion of Mr. Carskadon the Senate adopted the additional section proposed by the House to the last named bill.

Mr. Brown from the Judiciary Committee reported back House Bill No. 19, "a Bill further to prescribe the powers and duties of Justices and Constables," with the following amendments:

1. Strike out of the second section the words "to avoid levy," and insert in lieu thereof the words "after the date of the judgment."
2. Strike out of the 3d section the word "rendered" and insert "entered."

These amendments were adopted, and the bill was read by sections for amendment.

Mr. Maxwell moved that the 6th section be stricken out; pending which

On motion of Mr. Bunker the bill was recommitted.

Mr. Bunker from the Committee on Townships, &c., reported adversely upon the petition praying that a portion of Randolph county be added to the county of Upshur.

The report was adopted.

Mr. Brown from the Committee on Finance and Claims, reported Senate Bill No. 11, "a Bill appropriating the Public Revenue for

the Fiscal year 1863-4 and a part of the Fiscal year 1864-5," which was read the first time.

House bill No. 15, "a Bill declaring the Meat House Fork of Middle Island Creek in the county of Doddridge a public highway," was read the second time and referred to the Committee on Internal Improvements and Navigation.

On motion of Mr. Farnsworth the Senate reconsidered the vote ordering to engrossment Senate Bill No. 6, "a Bill requiring certain persons to take an oath," and

On motion of Mr. Maxwell the bill was laid on the table.

Mr. Bunker, by leave, introduced Senate Bill No. 12, "a Bill to provide for proving title in or from the Commonwealth of Virginia," which was read the first time.

Mr. Hubbard moved that the Senate reconsider the vote taken on the 30th day of January, adopting the adverse report of the Judiciary Committee upon the resolution relating to the jurisdiction of Justices in cases of assault and battery, which was agreed to.

On motion of Mr. Maxwell the report was tabled.

Mr. Slack, by leave, introduced the following bill, which was read the first time : Senate Bill No. 13, "a Bill giving Justices jurisdiction in cases of assault and battery."

On motion of Mr. Young, Senate Bill No. 3, "a Bill releasing certain counties from paying taxes," was taken up and recommitted.

On motion of Mr. Phelps,

Resolved, That the Committee on Township and County Organization, inquire and report as to the expediency of changing the line between Mason and Jackson, so as to include four families now residing in Jackson, in the county of Mason.

On motion of Mr. Brown,

Resolved, That the Committee on Banks and Corporations, be requested to inquire into the expediency of requiring the banks of circulation within this State to redeem at par, notes of their own issue, or of any branch thereof, at their counters, in United States legal tender notes.

On motion of Mr. Mahon,

Resolved, That the Clerk be allowed an assistant for the residue of the session at two pollars per day.

On motion of Mr. Burley,

Resolved, That the Judiciary Committee inquire into the expediency of reporting a bill reducing the docket fee in chancery suits to the same amount that is allowed for such fee in suits at law.

On motion of Mr. Mahon,

Resolved, That the Committee on Humane and Criminal Institutions, be and is hereby instructed to inquire into the expediency of reporting a bill requiring all the inhabitants of this State to be vacci-

nated, and prescribe suitable penalties for failing to comply with the provisions of the law.

On motion of Mr. Hubbard, the Sergeant-at-arms was directed to procure an additional number of chairs, sufficient for the use of the Senate and visitors.

On motion of Mr. Phelps, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose and House Bill No. 14, "a Bill to authorize the Board of Public Works to employ Superintendents on Turnpikes belonging to the State," was read the second time, and referred to the Committee on Internal Improvements and Navigation.

And on motion of Mr. Mahon the Senate adjourned.

THURSDAY, FEBRUARY 11, 1864.

Journal read and approved.

A message from the House communicated the passage of and asked concurrence in House Bill No. 18, "a Bill for the relief of William Nixon and William Turner," and House Bill No. 29, "a Bill to allow the Recorders of Gilmer and Ritchie counties to issue licenses for the marriage of persons residing in Calhoun county."

The bills were each read the first time.

Mr. Hubbard, from the Committee on Humane and Criminal Institutions, reported the following bill, which was read the first time: Senate Bill No. 14, "a Bill for the support of the poor."

Mr. Phelps, by leave, introduced the following bill, which was read the first time:

Senate Bill No. 15, "a Bill making an appropriation for the entertainment of veteran regiments of this State."

On motion of Mr. Phelps, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill read the second time for amendment.

On motion of Mr. Brown, the blank was filled with "five," and the bill ordered to engrossment.

On motion of Mr. Phelps, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill (having been engrossed) was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Ordered, That Mr. Phelps so inform the House.

On motion of Mr. Brown,

Resolved, That the Committee on the Library be instructed to inquire into the cause of the delay in the printing of the Acts of the last session of the Legislature, and promptly report to the Senate the cause of the delay.

House Bill No. 16, "a Bill further to provide for the collection of taxes," was read the second time, and referred to the Committee on Finance and Claims.

House Bill No. 17, "a Bill to provide for repairing the road and rebuilding the bridges of the Sistersville and Salem Turnpike Company, in the county of Tyler," was read the second time and referred to the Committee on Internal Improvements and Navigation.

House Bill No. 19, "a Bill to prescribe the time within which justices and constables must qualify," was read the second time and referred to the Committee on the Judiciary.

And on motion of Mr. Hubbard, the Senate adjourned.

FRIDAY, FEBRUARY 12, 1864.

Prayer by Rev. Mr. Blakeney.

The Journal was read and approved.

A message from the House communicated the passage of Senate Bill No. 15, "a Bill making an appropriation for the entertainment of veteran regiments of the State;" House Bill No. 24, "a Bill fixing the salaries of the officers of the branch of the exchange bank of Virginia, at Weston;" and House Bill No. 26, "a Bill concerning deputy assessors," and asked the necessary concurrence.

The two bills last named were each read the first time.

On motion of Mr. Brown, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the last named bill read the second time, and referred to the Committee on Finance and Claims.

On motion of Mr. Hubbard, the door-keeper was granted leave of absence until Monday next.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported back House Bill No. 15, "a Bill declaring the Meat House Fork of Middle Island Creek, in the county of Doddridge, a public highway," without any recommendation.

On motion of Mr. Hubbard, it was laid on the table.

Mr. Brown, from the Committee on Finance and Claims, reported back House Bill No. 16, "a Bill further to provide for the collection of taxes," recommending its passage; and it was read the third time, and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Bunker, Copley, Hawkins, Haymond, Hubbard, Mahon, Phelps, and Slack—12.

NAYS.—Messrs. Brown, Carskadon, Dunbar, Farnsworth, Maxwell, Rollyson, and Young—7.

Mr. Hubbard, from the Committee on Humane and Criminal Institutions, reported Senate Bill No. 16, "a Bill requiring the banks of this State to redeem their circulation and pay their liabilities in United States legal tender notes," and it was read the first time.

House Bill No. 18, "a Bill for the relief of William Nixon and William Turner," was read the second time, and referred to the Committee on Finance and Claims.

House Bill No. 29, "a Bill to allow the recorders of Gilmer and Ritchie counties to issue licenses for the marriage of persons residing in Calhoun county," was read the second time and referred to the Committee on the Judiciary.

On motion of Mr. Brown,

Senate Bill No. 12, "a Bill to provide for proving title in or from the Commonwealth of Virginia," was referred to the Committee on the Judiciary.

On motion of Mr. Slack,

Senate Bill No. 13, "a Bill giving justices jurisdiction in cases of assault and battery," was laid on the table.

On motion of Mr. Farnsworth,

Senate Bill No. 6, "a Bill requiring certain persons to take an oath," was taken up, and amended by inserting after the word "company, in the 6th line, the words "all superintendents for the construction of any Internal improvement or any State Institutions, all clerks in the executive offices of this State."

On motion of Mr. Burley, the words "or agents," was inserted after "officers," in the third line.

The bill was again ordered to be engrossed.

And on motion of Mr. Phelps, the Senate adjourned.

SATURDAY, FEBRUARY 13, 1864.

Prayer by Rev. Mr. White, of Fairmont.

The Journal was read and approved.

A message from the House communicated the passage of

House Bill No. 20, "a Bill concerning the inspection of Salt in Kanawha county," and House Bill No. 23, "a Bill providing for the payment of certain militia claims allowed by regimental courts," and requested concurrence.

They were each read the first time.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported back House Bill No. 14, "a Bill to authorize the Board of Public Works to employ Superintendents on Turnpikes belonging to the State," recommending its passage with the following additional section :

"2. The said board shall in all cases, before letting out any such road, give thirty days notice in some newspaper nearest the road for which they advertise, to receive sealed bids from applicants for Superintendents, and such road shall be let to the lowest bidder, who shall give bond in such amount for the faithful performance of his duties, as shall be approved by the said Board of Public Works."

On motion of Mr. Haymond, the said section was amended by inserting after the word "lowest," the words "competent and responsible."

The amendment of the Committee, as amended, was adopted ; and the bill was read the third time and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Phelps, Slack, and Young—16.

NAYS.—Messrs. Burley, and Maxwell—2.

Mr. Farnsworth from the same Committee, reported back, House Bill No. 17, "a Bill to provide for repairing the road and rebuilding the bridges of the Sistersville and Salem Turnpike company, in the county of Tyler," recommending its passage.

On motion of Mr. Hubbard it was laid on the table.

Mr. Maxwell from the Committee on the Judiciary, reported back House Bill No. 29, "a Bill to allow the Recorders of Gilmer and Ritchie counties to issue license for the marriage of persons residing in Calhoun county," recommending its passage ; and it was read the third time and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Mr. Brown, from the Committee on Finance and Claims, reported back

House Bill No. 18, "a Bill for the relief of William Nixon and William Turner," recommending its passage, with an amendment striking out of the 8th line the words "taken from him by force by some rebels," and inserting in lieu thereof the words "forcibly taken from him by the public enemy," and making a similar amendment in the 16th and 17th lines.

The said amendments were agreed to ; and the bill read the third time and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Mr. Brown, from the same committee reported back,

House Bill No. 26, "a Bill concerning Deputy Assessors," recommending its passage; and it was read the third time, and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Mr. Carskadon, from the Committee on Privileges and Elections, reported back

House Bill No. 3, "a Bill to amend the act to regulate Elections by the people," recommending its passage with an amendment striking out the 5th section of the engrossed bill, and inserting:

"5. The sixty-third section, and all other parts of said act, inconsistent herewith, are hereby repealed."

This amendment was adopted.

On motion of Mr. Hubbard the third section was amended by adding at the end thereof: "and if a candidate and elected, he shall, in addition to the penalty hereby imposed, forfeit his office, and on conviction thereof be removed therefrom.

The bill was then read the third time, and passed with its title.

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, Slack, and Young—17.

NAYS.—Messrs. Haymond, and Rollyson—2.

Mr. Hawkins, from the Committee on Executive Offices, submitted a partial report from that committee, which was received.

On motion of Mr. Brown, it was laid on the table.

House Bill No. 24, "a Bill fixing the salaries of the officers of the Branch of the Exchange Bank of Virginia at Weston," was read the second time, and referred to the Committee on Banks and Corporations.

Senate Bill No. 6, "a Bill requiring certain persons to take an oath," was read the third time, but pending its consideration,

On motion of Mr. Bunker the Senate adjourned.

MONDAY, FEBRUARY 15, 1864.

Prayer by Rev. Mr. McLure.

The Journal was read and approved.

A message from the House communicated the passage of House Bill No. 25, "a Bill providing for the repair of the Walnut Gap road in Boone and Wyoming counties;" House Bill No. 27, "a Bill to regulate municipal elections;" and Senate Bill No. 8, "a Bill giving certain officers further time to qualify and give bond," with a substitute for the latter, and asked concurrence.

The two bills first named were each read the first time.

On motion of Mr. Maxwell, the Senate agreed to the said substitute.

Mr. Maxwell, from the Committee on the Judiciary, reported Senate Bill No. 17, "a Bill to authorize suits in Lewis county, in cases heretofore cognizable in the courts of Braxton county," which was read the first time, and its printing dispensed with.

Mr. Maxwell, from the same committee, reported Senate Bill No. 18, "a Bill to release the taxes for 1861, 1862, and 1863, on property in certain counties, which was read the first time.

Mr. Phelps, from the Committee on Military Affairs, to whom was referred the resolution authorizing the presentation of a flag to the 10th West-Virginia Infantry, recommending its adoption, with an amendment making the inscription read, "10th W. Va. Regt., Beverly, July 2 and 3, 1863; Droop Mountain, Nov. 6, 1863."

The amendment was agreed to, and the resolution adopted.

He also reported the following joint resolution as a substitute for the resolution heretofore referred to said committee authorizing the presentation of a flag to all the regiments of this State, not heretofore supplied :

Resolved by the Legislature of West Virginia, That the Governor be and he is hereby authorized to procure and furnish an appropriate banner for each West Virginia Regiment and Battery that has not been otherwise provided with the same, and have placed upon each flag such device as may be prescribed by the commanding officer of the regiment to be so furnished.

The resolution was laid on the table.

Mr. Mahon, from the Committee on the Library, to whom a resolution concerning the printing of the acts was referred, submitted a verbal report, stating that fifty copies were now bound; that three hundred additional copies would be completed during the present week, and three hundred per week thereafter, and that the pamphlet copies would be ready during the week after next.

Mr. Hubbard moved to take up House Bill No. 17, "a Bill to provide for repairing the road and rebuilding the bridges of the Sis-

tersville and Salem Turnpike Company, in the county of Tyler," which was agreed to.

On motion of Mr. Maxwell, the first line was amended by inserting after the word "shall," the words "upon the request of the board of supervisors of Tyler county."

The bill was then read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, and Phelps—15.

NAYS.—None. .

House Bill No. 20, "a Bill providing for the payment of certain militia claims allowed by regimental courts," was read the second time and referred to the Committee on Military Affairs.

On motion of Mr. Farnsworth, Senate Bill No. 6, "a Bill requiring certain persons to take an oath," was taken up.

On motion of Mr. Mahon, it was recommitted.

Senate Bill No. 11, "a Bill appropriating the public revenue for the fiscal year 1863-4, and part of the fiscal year 1864-5," was read by sections for amendment.

Mr. Haymond moved to amend the 48th line by striking out the word "two" and inserting "one," but the motion did not prevail.

The reading by sections having been completed,

On motion of Mr. Brown, the bill was laid on the table for future amendment.

Senate Bill No. 16, "a Bill requiring the banks of this State to redeem their circulation and pay their liabilities in United States legal tender notes," was read the second time and ordered to be engrossed.

Mr. Brown offered the following which was laid on the table:

Resolved, by the Legislature of West Virginia, That in view of the exposed condition of the military department within which our State is embraced, and the apprehended danger of early rebel raids and invasions within its limits, the Governor respectfully and earnestly request the War Department to increase the military force therein; and that if not inconsistent with the public service, the seventh regiment West Virginia Volunteer Infantry be permitted, after being filled up and organized, to remain in this military department.

• On motion of Mr. Phelps,

Resolved, That the Committee on the Judiciary inquire as to the expediency of reporting a bill for the punishment of treason against this State.

And on motion of Mr. Rollyson, the Senate adjourned.

TUESDAY, FEBRUARY 16, 1864.

Prayer by Rev. Mr. McLure.

The journal was read and approved.

A message from the House communicated the passage of House Bill No. 21, "a Bill concerning the Unlawful Detention of Real Estate," and

House Bill No. 32, "a Bill authorizing the Auditor to appoint assessors in certain cases," and asked concurrence.

Also, that it had agreed to the first and refused to agree to the second amendment of the Senate to

House Bill No. 4, "a Bill in relation to Divorces," and refused to agree to the amendment of the Senate to

House Bill No. 14, "a Bill to authorize the Board of Public Works to employ Superintendents on Turnpikes belonging to the State."

A further message from the House by Mr. Lamb announced the passage of a "Joint resolution to provide for distributing the acts of the first and second sessions of the Legislature."

On motion of Mr. Maxwell the said resolutions were taken up out of order and adopted.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported back

Senate Bill No. 6, "a Bill requiring certain persons to take an oath," recommending the adoption of the following amendments.

1. Insert after the word "officers," in the 3d line, the word "clerks."

2. Add at the end of the 1st section the words: "that they will by word and deed support the Union, the President's Emancipation Proclamation, and all the efforts of the Government of the United States to suppress those in rebellion against the same; and that they will with the same fidelity support the laws, ordinances and Government of the said State of West Virginia."

Mr. Maxwell, from the Committee on the Judiciary, reported back

House Bill No. 19, "a Bill to prescribe the time within which Justices and Constables must qualify," recommending that it do not pass, the object of the bill having been accomplished in a former act.

He also reported back

House Bill No. 20, "a Bill concerning the inspection of Salt in Kanawha county," recommending its passage.

Mr. Bunker, from the Committee on Township and County Organization and Municipal Corporations, reported

Senate Bill No. 19, "a Bill amendatory of an act entitled 'an Act for the collection of taxes,' passed December 7, 1863." Read the first time.

Mr. Hubbard, from the Committee on Banks and Corporations, reported back

House Bill No. 24, "a Bill fixing the salaries of the officers of the branch of the Exchange Bank of Virginia at Weston," recommending its passage with the following amendment:

1. Strike out section 2d.

2. Amend the title so that it will read "a Bill repealing the act of the General Assembly of Virginia, passed July 24, 1861, entitled 'an Act to regulate the salaries of the Cashier and other officers of the Branch of the Exchange Bank of Virginia at Weston.' "

He also from the Committee on Humane and Criminal Institutions, reported adversely upon the resolution referred to them, looking to the passage of a law requiring all the inhabitants of the State to be vaccinated.

The report was adopted.

Mr. Phelps, from the Committee on Temperance, reported Senate Bill No. 20, "a Bill concerning spirituous liquors." Read the first time.

Mr. Carskadon, by leave, introduced

Senate Bill No. 21, "a Bill declaring who are citizens of the State, and how citizenship is relinquished." Read the first time.

Mr. Farnsworth, by leave, introduced

Senate Bill No. 22, "a Bill for the relief of certain militia in the county of Upshur." Read the first time.

On motion of Mr. Brown the Senate insisted upon its second amendment to

House Bill No. 4, "a Bill in relation to Divorces."

On motion of Mr. Phelps the Senate insisted on its amendment to House Bill No. 14, "a Bill to authorize the Board of Public Works to employ Superintendents on Turnpikes belonging to the State."

A message from the House by Mr. Dawson informed the Senate that the House was ready to proceed to the execution of the joint order of the day, the election of a State Superintendent of Free Schools, and had placed in nomination for that position Prof. Andrew F. Ross, of Ohio county, and Prof. William R. White, of Marion county,

The President then appointed Mr. Bunker to inform the House of Delegates that the Senate was likewise ready to execute said order, and had made no further nominations.

The President appointed the following committee on the part of the Senate to count the joint vote of the two branches: Messrs. Hubbard, Bunker and Hawkins.

The Senate then proceeded by joint vote with the House of Delegates to the election of a State Superintendent of Free Schools.

The first ballot resulted as follows :

For Mr. White sixteen votes, and for Mr. Ross four votes.

The committee to count the vote jointly with the House submitted the following report :

Whole number of votes cast 61 : of which Mr. White received 43 ; Mr. Ross 16 ; Dr. Dorsey 1 ; and E. W. Newton 1. Necessary to a choice 31.

And William R. White having received a majority of the joint vote of both branches of the Legislature, was declared by the President duly elected to the office of State Superintendent of Free Schools for the term commencing June 1, 1864.

Mr. Young presented a petition from citizens of Marshall county, praying the passage of a prohibitory liquor law, which was referred to the Committee on Temperance.

On motion of Mr. Brown, the Senate took up the joint resolution offered by him on yesterday asking for an increase of the military force in this Department, and for the retention of the Seventh Regiment therein.

Mr. Young moved to amend the same by adding thereto the words : "and that the War Department be respectfully requested to place Major General Sigel, Major General Milroy, or some other Major General in command of said department."

Pending which, on motion of Mr. Bunker the Senate took a recess until 3 o'clock.

3 O'CLOCK P. M.

The Senate re-assembled.

Mr. Hubbard moved to amend the pending amendment by striking out the words "Major General Sigel, Major General Milroy or some other Major General," and inserting the words "some competent Major General."

Upon this question Mr. Farnsworth demanded the yeas and nays and the demand being sustained, the amendment to the amendment was rejected :

YEAS.—Messrs. Atkinson, Brown, Bunker, Carskadon, Copley, Haymond, Hubbard, and Maxwell—8.

NAYS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Burley, Dunbar, Farnsworth, Hawkins, Mahon, Phelps, Rollyson, Slack, and Young—12.

Mr. Maxwell offered the following substitute for Mr. Young's amendment :

"*Resolved*, That the President of the United States be requested, if not inconsistent with the public interest, to commission Brigadier

General Lightburn a Major General, and assign him to the command of the Department of West Virginia,"

But it was rejected.

Upon Mr. Young's amendment, Mr. Hubbard demanded the yeas and nays, and the demand being sustained, it was adopted :

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Carskadon, Dunbar, Farnsworth, Hawkins, Mahon, Phelps, Rollyson, Slack, and Young—12.

NAYS.—Messrs. Atkinson, Brown, Bunker, Burley, Copley, Haymond, Hubbard, and Maxwell—8.

Upon the resolution, as amended, Mr. Brown demanded the yeas and nays, and the demand being sustained, it was adopted :

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Burley, Carskadon, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—16.

NAYS.—Messrs. Atkinson, Bunker, Copley, and Haymond—4.

On motion of Mr. Burley,

Resolved, That the Committee on the Judiciary inquire into the expediency of reporting a bill providing a mode by which creditors may require Sheriffs to take possession of the estate of any deceased person and safely keep the same until it shall be administered upon.

And on motion of Mr. Phelps the Senate adjourned.

WEDNESDAY, FEBRUARY 17, 1864.

Prayer by Rev. Mr. McLure.

The journal was read and approved.

A message from the House announced the passage of House Bill No. 35, "a Bill providing for the Confinement and Safe Keeping of persons sentenced to the penitentiary," and asked concurrence.

And, that it had agreed to the amendment of the Senate to House Bill No. 17, "a Bill to provide for repairing the road and rebuilding the bridges of the Sistersville and Salem Turnpike Company in the county of Tyler."

The President laid before the Senate a communication from the Governor, asking the appropriation of thirty-five thousand dollars to continue the work upon, and complete the south wing of the West Virginia Hospital for the Insane, that amount having been asked for by the Board of Directors of said Institution, and communicated to the Governor by the President of said Board, a copy of which communication accompanies the said message.

On motion of Mr. Brown, the said message and accompany document were referred to the Committee on Humane and Criminal Institutions.

Mr. Maxwell, from the Committee on the Judiciary, reported Senate Bill No. 23, "a Bill to punish treason against the State," which was read the first time.

Mr. Phelps, from the Committee on Military Affairs, reported back House Bill No. 23, "a Bill providing for the payment of certain Militia Claims allowed by Regimental Courts," recommending its passage; but it was subsequently re-committed, on motion of Mr. Atkinson.

House Bill No. 19, "a Bill to prescribe the time within which Justices and Constables must qualify," was read the third time and rejected:

YEAS.—None.

NAYS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

House Bill No. 20, "a Bill concerning the Inspection of Salt in Kanawha county," was laid on the table, on motion of Mr. Maxwell.

House Bill No. 24, "a Bill fixing the salaries of the officers of the Exchange Bank of Virginia at Weston," pending the amendment proposed by the committee, was laid on the table, on motion of Mr. Rollyson.

House Bill No. 25, "a Bill providing for the repair of the Walnut Gap Road in Boone and Wyoming counties," was read the second time and referred to the Committee on Internal Improvements and Navigation.

House Bill No. 27, "a Bill to regulate Municipal Elections," was read the second time and referred to the Committee on Privileges and Elections.

House Bill No. 21, "a Bill concerning the unlawful Detention of Real Estate," was read the first time.

House Bill No. 32, "a Bill authorizing the Auditor to appoint Assessors in certain cases," was read the first time.

House Bill No. 35, "a Bill providing for the Confinement and Safe Keeping of persons sentenced to the penitentiary," was read the first time.

On motion of Mr. Slack,

Senate Bill No. 13, "a Bill giving Justices jurisdiction in cases of Assault and Battery," was taken up and amended by striking out of the 5th line the word "an," and inserting in lieu thereof the words "a preliminary;" by adding as section 2, the following:

"2. If the party or parties so put upon trial, demand it, the said justice shall cause a jury, composed of six competent jurors, to be impaneled to try the same, who after hearing the evidence on both

sides, if the party or parties be found guilty of such assault and battery, shall assess such fine not exceeding ten dollars, or ascertain such term of imprisonment not exceeding thirty days, or both, as to them shall seem proper and right; and the said justice shall give judgment and award execution accordingly;" by inserting after the word "upon," in the 8th line, the words: "such preliminary examination, if he be of opinion that the case is of such a character that it ought to be investigated and tried by a single justice, he shall put the party or parties offending upon trial, after allowing him or them such time and facilities to procure evidence in defence as may be reasonable, and upon;" and by inserting after the word "case," in the 16th line, the words "on such preliminary examination."

On motion of Mr. Atkinson, said bill was ordered to be printed, as amended.

On motion of Mr. Rollyson,

Senate Bill No. 17, "a Bill to authorize suits in Lewis county in cases heretofore cognizable in the Courts of Braxton county," was laid on the table.

On motion of Mr. Brown, the Senate re-considered the vote ordering to be engrossed.

Senate Bill No. 16, "a Bill requiring the Banks in this State to redeem their circulation and pay their liabilities in United States legal tender notes."

Mr. Maxwell moved to amend the bill by adding at the end of the first section the following: "provided, that the said banks shall not be compelled to pay any notes or demands held by or due to any other branch or banking company which does not redeem its own notes and pay its deposits, when demanded, in legal tender notes."

The amendment was adopted, and the bill ordered to be engrossed.

The Senate then adopted the two amendments proposed by the committee to Senate Bill No. 6, "a Bill requiring certain persons to take an Oath."

On motion of Mr. Burley, the words "who are citizens of this State" were stricken out of the first section.

Mr. Brown moved to amend the second amendment of the committee by inserting after the word "proclamation," the words "so long as the said proclamation shall be continued in force by the President of the United States as Commander-in-chief, as a military measure for the purpose of putting down the rebellion;" pending which,

On motion of Mr. Stevenson, (Mr. Farnsworth in the chair,) the Senate took a recess until 3 o'clock.

3 O'CLOCK, P. M.

The Senate re-assembled.

The amendment of Mr. Brown was rejected.

Mr. Mahon moved to amend the second amendment of the committee as adopted, the words "the President's Emancipation Proclamation," which was agreed to.

Mr. Bunker moved to amend the bill so as to confine the oath therein prescribed to the future tense.

But the motion was rejected.

On motion of Mr. Dunbar, the Senate adjourned.

THURSDAY, FEBRUARY 18, 1864

Prayer by Rev. Mr. McLure.

The Journal was read and approved.

A message from the House announced that it had insisted on its disagreement to the second amendment of the Senate, to House Bill No. 4, "a Bill in relation to divorces," asked for a committee of conference, and appointed on the part of the House, Messrs. Lamb, Wheat, and Soper; and that it had also insisted on its disagreement to the Senate's amendment to House Bill No. 14, "a Bill to authorize the board of public works to employ superintendents on turnpikes belonging to the State."

On motion of Mr. Hubbard, the Senate agreed to the request for such committee of conference; and the President appointed on the part of the Senate, Messrs. Maxwell and Brown.

On motion of Mr. Hubbard, the second named bill was tabled.

The President laid before the Senate a message from the Governor, communicating the report of commissioners, T. H. Logan, Lewis Ruffner, and D. D. T. Farnsworth, appointed by the Governor under the resolutions adopted by the Legislature, on the 29th day of January, 1864, to represent to the proper authorities at Washington, the views of the Legislature in regard to the "permit system."

Mr. Hubbard moved that the message and document accompanying be received and laid on the table.

Mr. Phelps moved to amend so as to require the same to be printed, but it did not prevail.

The original motion was adopted.

Mr. Slack, from the Committee on Enrolled Bills, reported that sundry bills and resolutions had been examined and found correctly enrolled.

The report was adopted.

The consideration of Senate Bill No. 6, "a Bill requiring certain persons to take an oath," was resumed.

On motion of Mr. Phelps, the second amendment proposed by the committee, and heretofore adopted, was amended so as to read as follows: "that they will by word and deed support the government of the United States in all its efforts to suppress the rebellion against the same; and that they will support the laws, ordinances, and government of the said state of West Virginia."

The bill was then ordered to be engrossed.

On motion of Mr. Maxwell, and by general consent, Senate Bill No. 16, "a Bill requiring the banks in this State to redeem their circulation and pay their liabilities in United States legal tender notes," on its third reading, was amended by inserting after the word "presented," in the 8th line, the words "and demand made."

The bill was then read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—Mr. Haymond—1.

House Bill No. 35, "a Bill providing for the confinement and safe keeping of persons sentenced to the penitentiary," was read the second time and referred to the Committee on Humane and Criminal Institutions.

House Bill No. 32, "a Bill authorizing the Auditor to appoint assessors in certain cases," was read the second time and referred to the Committee on Finance and Claims.

House Bill No. 21, "a Bill concerning the unlawful detention of real estate," was read the second time and referred to the Committee on the Judiciary.

Senate Bill No. 14, "a Bill for the support of the poor," was read by sections for amendment.

Mr. Maxwell moved to amend the second section by striking out all after the word "children," in the 1st line, to the word "shall," in the 4th line, but the motion was rejected.

Mr. Phelps moved to amend the 11th section by striking out of the 7th line the words "have a legal settlement in," and inserting in lieu thereof the words "be a citizen of," but it was not agreed to.

Mr. Stevenson, (Mr. Maxwell in the chair,) moved to amend the 17th section by striking out of the 1st line the word "may," and inserting "shall," which was likewise rejected.

On motion of Mr. Carskadon, the blank in the 1st line of the 21st section was filled with the word "twentieth."

Mr. Farnsworth moved to strike out all from the 2d to the 10th section inclusive: pending which,

On motion of Mr. Young, the bill was laid on the table.

On motion of Mr. Carskadon,

Resolved, That the Committee on the Judiciary inquire and report as to the expediency of providing how vacancies are to be filled where persons fail or refuse to qualify according to law, after having been elected to any office.

Mr. Slack offered the following:

Resolved, That the Committee on Military Affairs inquire and report as to the expediency of reporting a bill making provision for the payment of claims due from the state of Virginia, to officers and privates of regiments and companies of militia who were called into service by the executive of Virginia, or by commandants of military posts, and for subsistence, transportation, &c., furnished for the use of the same since June 11, 1861, and prior to June 20, 1863.

Mr. Phelps offered an amendment, adding to the resolution the following: "and further to inquire whether there is any fund in the hands of any person in this State to be applied to military claims, and if so, how much, in whose hands, and to what class of claims to be applied.

Mr. Atkinson was granted leave of absence for to-morrow.

Mr. Carskadon moved that the Senate take a recess until 3 o'clock, which was lost.

And on motion of Mr. Hubbard, the Senate adjourned.

FRIDAY, FEBRUARY 19, 1864.

The Journal was read and approved.

A message from the House announced that it had disagreed to the amendments of the Senate to

House Bill No. 3, "a Bill to amend the act to regulate Elections by the People," and adopted the joint resolution of the Senate asking for an increase of the military force within, and a commander for the Department of West Virginia, with the following amendments:

1. Strike out "7th Regiment West Virginia Volunteer Infantry be permitted, after being filled up and organized," and insert "4th and 7th Regiments West Virginia Volunteer Cavalry, be transferred to and permitted."

2. Strike out "Major General Sigel or Major General Milroy or some other," and insert "some," after "General," immediately following, insert the words "now commissioned."

On motion of Mr. Carskadon, the Senate receded from its amendment to the first named bill; and adopted the amendments proposed by the House to the second named bill.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported back

House Bill No. 25, "a Bill providing for the repair of the Walnut Gap Road in Boon and Wyoming counties," recommending its passage with the following amendments:

1. In the 10th line after the name of "William Workman," insert, "and Alfred A. Hagar."

2. In the 11th line, strike out the name of "James Cooke," and insert the name of "Thomas G. Cooke."

3. In the 17th line, after the word advertisement, insert the words "for fifteen days."

The amendments were all adopted.

Mr. Burley moved to amend the second section by inserting after the word "money" the words "with legal interest," but the motion did not prevail.

Mr. Haymond moved to amend the first section by inserting a clause appropriating \$2000 to rebuild the bridges over Worthington Creek and Dry Run on the Parkersburg and Staunton Turnpike.

Mr. Young offered an amendment to the amendment appropriating \$——to rebuild certain bridges over Tygert's Valley and Greenbrier Rivers, in Pocahontas county.

But both amendments were rejected.

The bill was then read the third time and rejected:

YEAS.—Messrs. Bechtol, Bowen, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Phelps, Slack, and Young—10.

NAYS.—Messrs. Stevenson, (President,) Brown, Burley, Hawkins, Aaymond, Hubbard, Mahon, Maxwell, and Rollyson—9.

Mr. Brown, from the Committee on Finance and Claims, reported back

House Bill No. 32, "a Bill authorizing the Auditor to appoint Assessors in certain cases," recommending its passage with the following amendments:

1. Strike out the title of the bill and insert "a Bill authorizing the appointment of Assessors in certain cases."

2. After the word "aforesaid," in the third line from the end of the 2d section, insert the words "and pay the same out of the State treasury."

Mr. Carskadon, from the Committee on Privileges and Elections, reported back House Bill No. 27, "a Bill to regulate Municipal Elections," recommending its passage.

Mr. Phelps, by leave introduced Senate Bill No. 24, "a Bill to Stay the Collection of debts in Kanawha county."

Mr. Bechtol, by leave, introduced Senate Bill No. 25, "a Bill legalizing the laying of the Levy of Morgan county for 1863."

Mr. Hubbard, from the Committee on Criminal Institutions, to whom the communication of the Governor in reference to the West

Virginia Hospital for the Insane, was referred, reported the following resolution and recommended its adoption :

Resolved, That it is the true policy and interest of the State, to urge forward to completion at as early a day as practicable, a sufficient portion of the building now in process of erection at Weston, for the accommodation of the Insane ; and if practicable, another portion of said building for the accommodation and instruction of the Deaf and Dumb and Blind of this State, and that the Legislature should from time to time make sufficient appropriations for the accomplishment of this object."

The committee further recommend that an appropriation of the amount asked for in the communication of the Directors to the Governor—thirty-five thousand dollars—be made for the current year.

The resolution was adopted.

On motion of Mr. Young,

Resolved, That the Committee on the Judiciary inquire and report as to the expediency of compelling parties elected to office in the State to qualify within the time fixed by law.

On motion of Mr. Dunbar,

Resolved, That the Committee on the Judiciary inquire and report as to the expediency of reporting a bill, prescribing the manner in which notices may be given to non-resident defendants, in cases where suits are brought for damages ; also how notices to take depositions may be given in such cases.

On motion of Mr. Burley,

Resolved, That the Committee on Finance and Claims, inquire into the expediency of reporting a bill providing for the re-assessment of certain lands in Pleasants county which were valued too low at the last assessment.

Mr. Farnsworth offered the following :

Resolved, That the Committee on Military Affairs inquire and report as to the expediency of providing by bill or otherwise, that all persons who may volunteer in this State, in the service of the United States, under the late call of the President for 500,000 troops, shall receive an equal bounty of three hundred dollars, to be paid by the State.

Mr. Hubbard moved to amend the resolution so as to refer it to the Committee on Finance and Claims, but the motion failed.

The resolution was referred.

And on motion of Mr. Copley the Senate adjourned.

SATURDAY, FEBRUARY 20, 1864.

The Senate was opened with prayer by Mr. Carskadon, a member of the Senate.

The Journal was read and approved.

A message from the House announced that it had passed and asked concurrence in.

House Bill No. 36, "a Bill for the relief of Margaret Ray," and

House Bill No. 39, "a Bill to authorize Recorders to make orders allowing ministers to celebrate the rites of marriage."

They were each read the first time.

Mr. Maxwell from the Committee on the Judiciary, reported back Senate Bill No. 12, "a Bill to provide for proving title in or from the Commonwealth of Virginia," recommending that it do not pass to engrossment, it being, in the opinion of the committee, inexpedient to legislate upon the subject.

Mr. Phelps from the Committee on Military Affairs, reported Senate Bill No. 26, "a Bill concerning bounties for Volunteers," which was read the first time.

He also reported back House Bill No. 23, "a Bill providing for the payment of certain militia claims allowed by regimental courts," recommending its passage.

Mr. Maxwell, submitted the following report:

"The Committee of Conference in relation to the disagreeing votes of the two Houses upon the second amendment of the Senate to

House Bill No. 4, entitled "a Bill in relation to Divorces," respectfully recommend that the Senate recede from said amendment. said sections.

D. LAMB,
Chairman of House Committee.

E. MAXWELL,
Chairman Senate Committee, under protest.

On motion of Mr. Hubbard, the report was laid on the table.

Mr. Stevenson, (Mr. Atkinson in the Chair,) by leave introduced Senate Bill No. 27, "a Bill to amend and re-enact the first and third sections of an act passed February 4, 1863, entitled 'an Act to incorporate the Little Kanawha Navigation Company,' " which was read the first time.

Mr. Young, by leave, introduced

Senate Bill No. 28, "a Bill to provide for removing the seat of Justice of Pocahontas county," which was read the first time.

Senate Bill No. 24, "a Bill to stay the collection of debts in Kanawha county," was read the first time.

Senate Bill No. 25, "a Bill legalizing the laying of the levy of Morgancounty for 1863," was read the first time.

On motion of Mr. Hubbard, Senate Bill No. 14, "a Bill for the support of the Poor," was taken up.

The question being upon the amendment of Mr. Farnsworth, to strike out all from the 2d to the 10th sections inclusive,

Mr. Young offered an amendment to the sections proposed to be stricken out, requiring distillers, manufacturers and dealers in intoxicating liquors, and persons furnishing grain for the manufacture of the same, to support the poor, in lieu of the persons named in the said sections.

The motion to strike out said sections was then agreed to.

Mr. Brown moved to strike out of the 2d line the words "money and," but was not agreed to.

Mr. Hubbard moved to strike out of the 1st line of the 30th section "April" and insert "May," and the motion was adopted.

Mr. Bunker moved to inclose the words "or more frequently if required," in brackets, but the motion was negatived.

On motion of Mr. Maxwell the words "or servants" were stricken out of the third line of the 42d section.

On motion of Mr. Stevenson the words "or to labor in some useful occupation" were inserted after the word "apprentices" in the same line.

On motion of Mr. Hubbard, the bill was tabled.

On motion of Mr. Bunker,

Resolved, That the Committee on the Judiciary, inquire and report if any further legislation is necessary to protect the citizens of this State from losses by foreign corporations not incorporated by the laws of this State, but pursuing the business of common carriers herein.

On motion of Mr. Bowen,

Resolved, That from and after to-day the Senate will take a recess at 12½ o'clock P. M. until 3 o'clock, until otherwise ordered.

Mr. Carskadon offered the following:

Resolved, by the Legislature of West Virginia, That the Senate and House of Delegates meet in joint session in the Hall of the latter at 10 o'clock A. M., on Monday next February 22, to celebrate the anniversary of the birth of George Washington, the Father of His Country, and that his Farewell Address be read upon the occasion, followed by appropriate remarks from persons present.

On his motion the rule was suspended and the resolution adopted.

Ordered, That Mr. Carskadon so inform the House.

On motion of Mr. Young,

Resolved, That the Committee on the Judiciary inquire into the expediency of releasing, by law, churches and other public property from all claims of debt, judgment or execution due and coming to disloyal and secession parties.

Mr. Hubbard, from the Committee on Humane and Criminal Institutions reported back

House Bill No. 35, "a Bill providing for the confinement and safe-keeping of persons sentenced to the penitentiary," recommending its passage.

A message from the House by Mr. Lamb communicated the passage of the joint resolution in regard to the celebration of Washington's birth day, with an amendment striking out all after the word "occasion."

On motion of Mr. Carkadon, said amendment was agreed to.

On motion of Mr. Farnsworth, the Senate took a recess until 3 o'clock P. M.

3 o'clock, P. M.

The Senate re-assembled.

Mr. Mahon moved to adjourn, but it was disagreed to.

On motion of Mr. Hubbard Senate Bill No. 26, "a Bill concerning bounties for volunteers," was laid on the table and ordered to be printed.

Senate Bill No. 6, "a Bill requiring certain persons to take an oath," was read the third time, and on motion of Mr. Farnsworth, was tabled.

On motion of Mr. Hubbard, the Senate took up and resumed the consideration of

Senate Bill No. 14, "a Bill for the support of the Poor."

On motion of Mr. Hubbard, the word "service" was stricken out of the 6th line of the 43rd section and the word "labor" inserted, and a similar amendment made in the 44th, 46th and 47th sections.

Mr. Phelps moved to amend in the 4th line of the 43rd section, so as to make it read "six months schooling in Free Schools," instead of the language therein employed, but the motion was lost.

Mr. Dunbar moved to strike out the word "master" wherever it occurs in the bill and insert in lieu thereof "employer," but the motion was disagreed to.

The reading by sections having been completed,

On motion of Mr. Carskadon, the blank in the 3rd line of the 20th section was filled with the word "three."

On motion of Mr. Hubbard the word "fixed" was inserted after the word "be" in the 4th line of the 18th section.

On motion of Mr. Bunker the bill was laid on the table.

On motion of Mr. Carskadon, Senate Bill No. 21, "a Bill declaring who are citizens of the State and how citizenship is relinquished," was referred to the Committee on the Judiciary.

Senate Bill No. 22, "a Bill for the relief of certain militia in the county of Upshur," was read by sections for amendment.

On motion of Mr. Farnsworth the words "loyal to the government of the United States" were inserted after the word "militia" in the 2nd line of the 2d section.

The bill was then ordered to be engrossed.

Senate Bill No. 19, "a Bill amendatory of an act entitled 'an Act for the collection of taxes, passed December 7, 1863.'" was read by sections.

On motion of Mr. Hawkins the word "public" was inserted before the word "places," in the 2d line of the 3rd section.

On motion of Mr. Hubbard the words "may appoint a deputy," were stricken out of the 1st line of the 4th section, and the words "may appoint one or more deputies" inserted.

On motion of the same, the words, "in each township of this county were stricken out of the 2nd line of the same section.

On motion of Mr. Dunbar, the words "on or" were inserted after "paid" in the 11th line of the 5th section.

On motion of Mr. Bunker the bill was laid on the table.

On motion of Mr. Bunker, Senate Bill No. 20, "a Bill concerning spirituous liquors," was laid on the table,

And on motion of Mr. Hawkins the Senate adjourned.

MONDAY, FEBRUARY 22, 1864.

In the absence, and at the request of the President, Mr. Farnsworth took the chair.

The Senate was opened with prayer by Rev. John M. Phelps, member of the Senate.

The Journal was read and approved.

A message from the House of Delegates announced that it had passed House Bill No. 7, "a Bill to exempt a certain amount of property from execution or other process," in which it asked concurrence.

The bill was read the first time.

A message from the House by Messrs. Lamb, Ruffner, and Soper, informed the Senate that the House was ready to proceed to the execution of the joint order of the day, and requested the attendance of the Senate in the hall of the House.

On motion of Mr. Hubbard, the Senate acceded to the request.

After the return of the Senate to their chamber, House Bill No. 36, "a Bill for the relief of Margaret Ray," was read the second time and referred to the Committee on Finance and Claims.

House Bill No. 39, "a Bill to authorize recorders to make orders allowing ministers to celebrate the rites of marriage," was read the second time and referred to the Committee on the Judiciary.

House Bill No. 27, "a Bill to regulate municipal elections," was read the third time and passed with its title:

YEAS.—Messrs. Bechtol, Bowen, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—14.

NAYS.—None.

House Bill No. 32, "a Bill authorizing the Auditor to appoint Assessors in certain cases," was taken up, the two amendments proposed thereto by the Committee on Finance and Claims adopted, and the bill read the third time and passed with its title:

YEAS.—Messrs. Bechtol, Bowen, Carskadon, Dunbar, Farnsworth, Hawkins, Haymond, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—13.

NAYS.—None.

House Bill No. 35, "a Bill providing for the confinement and safe keeping of persons sentenced to the penitentiary," on its third reading, was taken up.

Mr. Phelps moved to strike out of line 2, section 1, the word "Ohio," and insert in lieu thereof "Mason," but the motion failed.

The bill was then read the third time and passed with its title:

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Rollyson, Slack, and Young—15.

NAYS.—Mr. Phelps—1.

House Bill No. 23, "a Bill providing for the payment of certain militia claims allowed by regimental courts," was read the third time, and on motion of Mr. Mahon, laid on the table.

Senate Bill No. 12, "a Bill to provide for proving title in or from the Commonwealth of Virginia," was read the second time, and on motion of Mr. Maxwell, laid on the table.

Senate Bill No. 13, "a Bill giving justices jurisdiction in cases of assault and battery," was read the second time and ordered to engrossment.

Senate Bill No. 18, "a Bill to release the taxes for 1861, 1862, and 1863, on property in certain counties," was read the second time and amended,

On motion of Mr. Dunbar, by striking out "Boone," "Logan," and "Wyoming."

On motion of Mr. Young, by inserting "Braxton" after "Berkeley," and

On motion of Mr. Bowen, by inserting after the word "and" in line 7, the words "and the taxes for the year 1863, due as aforesaid, within the county of Wayne."

At 12½ o'clock the Senate took a recess until 3 o'clock, P. M.

3 O'CLOCK, P. M.

The Senate reassembled, and

On motion of Mr. Phelps, adjourned.

TUESDAY, FEBRUARY 23, 1864.

In the absence of the President, Mr. Farnsworth presided.

Prayer by Rev. D. W. Fisher.

Journal read and approved.

A message from the House reported the passage by that body of House Bill No. 42, "a Bill to regulate the Fees for appraising Property."

The Senate resumed the consideration of Senate Bill No. 18, "a Bill to release the taxes for 1861, 1862 and 1863, on property in certain counties."

Mr. Young moved to insert after "counties" in line 18 the words "provided that before any person shall avail himself of the benefits of this act he shall have taken before some person authorized to administer oaths, the oath prescribed in chapter 106 of the Acts of the Legislature, passed November 16, 1863, and shall produce before the sheriff or other collecting officers, a certificate of his having taken said oath, attested by two witnesses, of his loyalty."

The amendment was amended, on motion of Mr. Carskadon, by striking out the words "of his loyalty" and on motion of Mr. Hubbard, by striking out the words "attested by two witnesses," and as amended was agreed to.

The bill was further amended on motion of Mr. Atkinson, by striking out all after the words just inserted.

On motion of Mr. Burley, by affixing to the bill the words "and provided further, that nothing in this act shall be so construed as to release any defaulting sheriff or collector of the public revenue or the securities of any such defaulter," and

On motion of Mr. Bowen, by inserting "State" before "taxes" in line one.

Mr. Maxwell moved to strike "1863" out of line 1, but the motion failed.

On motion of Mr. Burley, the following was inserted after the words inserted on motion of Mr. Young, "such certificate, when

certified to by the Supervisors of the county, shall be a sufficient voucher in the hands of the collecting officer to entitle him to a credit in his settlement with the Auditor to the amount of the tax due from the person who procured such certificate."

The bill was then ordered to engrossment.

On motion of Mr. Carskadon,

Ordered, That the Committee on the Judiciary inquire and report as to the expediency of legislation providing that the statute of limitation shall not run where the civil law has been necessarily suspended.

Senate Bill No. 14, "a Bill for the support of the poor" was taken from the table on motion of Mr. Hubbard, and ordered to engrossment.

On motion of Mr. Rollyson,

Senate Bill No. 17, "a Bill to authorize suits in Lewis county in cases heretofore cognizable in the courts of Braxton county was taken up.

On motion of the same, the bill was amended by inserting after "Braxton" the words "against a debtor who resides without, but has estate or debts due him within this State."

The bill was ordered to engrossment.

On motion of Mr. Brown,

Senate Bill No. 11, "a Bill appropriating the Public Revenue for the fiscal year 1863-4, and a part of the fiscal year 1864-5" was taken from the table.

On motion of Mr. Hubbard, "twenty" was stricken out of line 75 and "thirty-five" inserted in lieu thereof.

At 12½ o'clock, P. M., the Senate took a recess until 3 P. M.

3 O'CLOCK, P. M.

The Senate resumed the consideration of Senate Bill No. 11, "a Bill appropriating the Public Revenue for the fiscal year 1863-4, and a part of the fiscal year 1864-5," which was amended,

On motion of Mr. Brown, by inserting after "sixty three" in line 55 the words "and the joint resolution, adopted Sept. 17, 1863."

Mr. Burley moved to strike out of line 39 "two thousand" and insert in lieu thereof "eighteen hundred" but the motion failed.

Mr. Hawkins moved to strike out of line 33 the word "three" and insert in lieu thereof "five" but the motion was lost.

The bill was ordered to engrossment.

On motion of Mr. Bunker,

Senate Bill No. 19, "a Bill amendatory of an act entitled 'an Act for the Collection of Taxes,' passed December 7, 1863," was taken from the table.

On motion of Mr. Atkinson, the vote striking out of line 2, section 4, the words "in each township of his county" was reconsidered, and the question being on the amendment it was rejected.

On motion of the same, the vote amending line 1, section 4, by substituting "may" for "shall" and striking out "a deputy" and inserting "one or more deputies" was reconsidered and the amendment rejected.

The bill was amended.

On motion of Mr. Burley, by inserting the words "and disbursement" after "collection" in line 1, section 7.

On motion of the same, by striking out of lines 5 and 6, section 7, the words "over three thousand dollars" and inserting in lieu thereof the words "between three and ten thousand dollars, and four per centum on any sum over ten thousand dollars" and

On motion of Mr. Brown, by adding at the end of section 10 the words "but shall not apply to the collection of the taxes or any portion thereof assessed for the year 1864."

Mr. Phelps moved to strike out of line 5, section 1, the word "freehold" and insert "sufficient" but the motion failed.

On motion of Mr. Bunker the following was inserted after "county" in line 2, section 4, "but may dispense with the appointment of a deputy for the township where the Treasurer resides."

The bill was ordered to engrossment.

Senate Bill No. 23, "a Bill to punish treason against the State" was read the second time and ordered to engrossment.

Senate Bill No. 24, "a Bill to stay the collection of debts in Kanawha county;" and Senate Bill No. 25, "a Bill legalizing the laying of the levy of Morgan county for 1863" were, respectively, read the second time and referred to the Committee on the Judiciary.

Senate Bill No. 28, "a Bill to provide for removing the seat of Justice of Pocahontas county," was read the second time, amended on motion of Mr. Young, by striking out the names "William Cochran, John Auldrige, Robert Gay, John Smith and John Sharp" and inserting "the Supervisors of Pocahontas county" and referred to the Committee on Township and County Organization, &c.

Senate Bill No. 22 "a Bill for the Relief of certain Militia in the county of Upshur" was read the third time and

On motion of Mr. Atkinson, referred to the Committee on Military Affairs.

Senate Bill No. 13, "a Bill giving Justices jurisdiction in cases of Assault and Battery" was read the third time.

At the suggestion of Mr. Maxwell, and by general consent, the bill was amended by inserting after "demand" in line 1, section 2,

the words "and the justice be of opinion that imprisonment or a fine exceeding five dollars ought to be imposed."

On the passage of the bill the Yeas were

YEAS.—Messrs. Burley, Carskadon, Copley, Dunbar, Farnsworth, Mahon, Phelps, Slack, and Young—9.

NAYS.—Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Hawkins, and Maxwell—7.

Before the result was announced by the presiding officer, Mr. Phelps moved to lay the bill on the table and the motion prevailed.

On motion of Mr. Young, the Senate adjourned.

WEDNESDAY, FEBRUARY 24, 1864.

Prayer by Rev. D. W. Fisher.

Journal read and approved.

Mr. Phelps moved to suspend the rules for the purpose of taking up Senate Bill No. 13, "a Bill giving justices jurisdiction in cases of assault and battery," which was agreed to, and

On motion of Mr. Carskadon, the bill was taken up.

The presiding officer announced the result of the vote rejecting the bill on yesterday, and

On motion of Mr. Carskadon, that vote was reconsidered and the bill laid on the table.

A message from the House announced that the House had concurred in the first and disagreed to the second of the amendments of the Senate to House Bill No. 32, "a Bill authorizing the auditor to appoint assessors in certain cases," and that it had passed House Bill No. 41, "a Bill imposing taxes."

House Bill No. 47, "a Bill to amend the nineteenth section of the act to provide for the forfeiture of property in this State belonging to the enemies thereof."

House Bill No. 49, "a Bill to provide for repairing the road and bridges of the Newark and Elizabeth Turnpike Company, in the county of Wirt."

House Bill No. 50, "a Bill amending the act to incorporate the Burning Spring Turnpike Company, passed November 16, 1863," and

House Bill No. 51, "a Bill to provide for the recovery of certain claims transferred to this State by the state of Virginia."

On motion of Mr. Brown, the Senate insisted on its second amendment to the said first named bill.

The other bills thus transmitted were read the first time as was also House Bill No. 42, "a Bill to regulate the fees for appraising property."

Mr. Maxwell, from the Committee on the Judiciary, reported Senate Bill No. 29, "a Bill to provide for the sale of real estate returned delinquent for the non-payment of taxes levied by counties or townships," which was read the first time.

He also reported back without amendment, House Bill No. 39, "a Bill to authorize recorders to make order allowing ministers to celebrate the rites of marriage;" and the bill was read the third time and rejected:

YEAS—Messrs. Atkinson, Bechtol, Dunbar, Hawkins, Hubbard, and Phelps—6.

NAYS.—Messrs. Bowen, Brown, Bunker, Burley, Carskadon, Copley, Farnsworth, Haymond, Mahon, Maxwell, Rollyson, Slack, and Young—13.

Mr. Brown, from the Committee on Finance and Claims who was directed to inquire into the expediency of providing for the reassessment of lands in Pleasants county, reported it inexpedient.

On motion of Mr. Burley, the report was laid on the table.

Mr. Brown, from the same committee, reported back without amendment or recommendation, House Bill No. 36, "a Bill for the relief of Margaret Ray," and it was read the third time and passed with its title:

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Phelps, Rollyson, Slack, and Young—17.

NAYS.—Messrs. Carskadon, and Maxwell—2.

Mr. Phelps, from the Committee on Military Affairs, reported back Senate Bill No. 22, "a Bill for the relief of certain militia in the county of Upshur," with an amendment substituting for the 2d section of the bill the following:

"Such sums shall be paid by order of the Governor to such militia as are loyal to the government of the United States, who were taken and held as prisoners of war; to them, their heirs, executors, or administrators, upon producing such evidence as will satisfy the Governor that they were so captured, imprisoned and held."

The amendment was agreed to.

On motion of Mr. Atkinson, the bill was amended by inserting after the word "captured," in the last line of the second section the words "while in the discharge of their duty in defense of this State and so."

The bill was again ordered to engrossment.

House Bill No. 7, "a Bill to exempt a certain amount of property from execution or other process," was read the second time and referred to the Committee on the Judiciary.

Mr. Bunker, from the Committee on Township and County organization, &c., reported back Senate Bill No. 28, "a Bill to provide

for removing the seat of justice of Pocahontas county," with a recommendation that it do not pass.

Pending the consideration of the bill the Senate took a recess.

3 O'CLOCK, P. M.

On motion of Mr. Bunker, Senate Bill No. 28, was laid on the table.

Senate Bill No. 26, "a Bill concerning bounties for volunteers," was read the second time, and

On motion of Mr. Burley, laid on the table.

Senate Bill No. 27, "a Bill to amend and re-enact the first and third sections of an act passed February, 1863, entitled "an Act to incorporate the Little Kanawha Navigation Company," was read the second time.

Mr. Bunker presented a petition from citizens of Wirt county, praying the passage of said bill, and an agreement, signed by dealers, producers, and boatmen engaged in the sale, production, and freighting of oil, acquiescing in the establishment of the tolls proposed by said bill.

Mr. Rollyson moved to lay the bill on the table but the motion failed.

The bill was amended, on motion of Mr. Phelps, by striking out of line 37 the words "the Claysville dam," and inserting "Parkersburg."

On motion of Mr. Maxwell, by adding at the end of the bill the words "and a greater rate of toll may be fixed by law or by the board of public works for the transportation of crude or refined oils or for empty oil barrels, than the amount fixed in this section."

The bill was ordered to engrossment.

Senate Bill No. 11, "a Bill appropriating the public revenue for the fiscal year 1863-4, and a part of the fiscal year 1864-5, was read the third time and passed with its title:

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Haymond, Mahon, Maxwell, Phelps, Slack, and Young—16.

NAYS.—None.

Senate Bill No. 19, "a Bill amendatory of an act entitled 'an Act for the collection of taxes,' passed December 7, 1863," was read the third time and passed with its title:

YEAS.—Messrs. Atkinson, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Haymond, Mahon, Phelps, Rollyson, Slack, and Young—15.

NAYS.—Messrs. Bechtol, and Maxwell—2.

Senate Bill No. 17, "a Bill to authorize suits in Lewis county in cases heretofore cognizable in the courts of Braxton county," was read the third time and passed with its title:

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Haymond, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—15.

NAYS.—Mr. Brown—1.

Senate Bill No. 18, "a Bill to release the taxes for 1861, 1862, and 1863, on property in certain counties," was read the third time.

Mr. Mahon moved to lay the bill on the table but the motion failed.

At the suggestion of Mr. Maxwell, and by unanimous consent, the bill was amended by inserting at the end of the next to the last sentence of the engrossed bill the words, "but if there be no board of supervisors, the auditor shall receive said certificate without such approval."

The bill passed with its title:

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hubbard, Phelps, Rollyson, Slack, and Young—14.

NAYS.—Messrs. Brown, Hawkins, Haymond, Mahon, and Maxwell—5.

On motion of Mr. Bunker, Senate Bill No. 28, "a Bill to provide for removing the seat of justice of Pocahontas county," was taken up.

On motion of Mr. Phelps, the word "commissioners" was stricken out of the last line of the bill and "supervisors" inserted in lieu thereof.

The bill was ordered to engrossment.

On motion of Mr. Hubbard, the Senate adjourned.

THURSDAY, FEBRUARY 25, 1864.

In the absence of the President, on motion of Mr. Carskadon, Mr. Farnsworth was elected President *pro tempore*.

Prayer by Rev. Samuel Young, Senator from the 9th district.

Journal read and approved.

A message from the House reported the passage by that body of House Bill No. 43, "a Bill to alter and amend sections nineteen and twenty of chapter sixty-one of the Code of Virginia, second edition," and House Bill No. 52, "a Bill for the incorporation of Cemetery Associations."

The bills thus transmitted were read the first time and the last named bill,

On motion of Mr. Bunker, laid on the table.

Mr. Maxwell from the Committee on the Judiciary, reported Senate Bill No. 30, "a Bill in relation to the limitation of civil actions" which was read the first time.

He also reported back Senate Bill No. 24, "a Bill to stay the collection of debts in Kanawha county" without amendment.

The bill was amended on motion of Mr. Dunbar, by inserting the counties of Fayette, Raleigh, Wyoming, McDowell, and Mercer.

On motion of Mr. Bechtol by inserting the counties of Hampshire, Hardy, Morgan, Pendleton, Berkeley, and Jefferson.

On motion of Mr. Rollyson, by inserting the county of Braxton.

On motion of Mr. Copley, by inserting the county of Cabell.

On motion of Mr. Bowen, by inserting the counties of Wayne, Logan, and Boone.

On motion of Mr. Young, by inserting the counties of Greenbrier, Monroe, Pocahontas, and Webster.

On motion of Mr. Mahon, by inserting the counties of Jackson, Roane, Calhoun, Gilmer and Wood.

On motion of Mr. Burley, by affixing to the last section the words "provided however, that no citizen of any county named in this act nor any assignee of any such citizen shall be allowed to collect any debt due from any citizen of any other county in this State."

On motion of Mr. Bunker, the county of Wirt was inserted.

Mr. Farnsworth moved to insert the counties of Randolph, Tucker, and Barbour.

The amendment was amended on motion of Mr. Maxwell by striking out "and Barbour," and as amended was agreed to.

The bill was further amended on motion of Mr. Brown, by inserting the counties of Clay and Nicholas.

On motion of Mr. Maxwell by substituting for the word "commonwealth" wherever it occurs in the bill, the words "this State."

Mr. Haymond moved to amend the bill so as to require defendants to give bond and security for the payment of debts, but the motion failed.

The Senate refused to order the bill to engrossment.

Mr. Maxwell from the same committee reported back Senate Bill No. 25, "a Bill legalizing the county levy of Morgan county, made for the year 1863," with a substitute therefor.

On motion of Mr. Slack,

Resolved, That the Committee on the Judiciary, inquire into the expediency of providing by law for the collection of negotiable notes which have been placed in banks heretofore chartered by the State of Virginia for collection, the assets of which (including such notes) have been carried by the rebels into the rebellious States, upon proof

of the existence and justice of such notes, and report by bill or otherwise.

Mr. Carskadon, by leave introduced Senate Bill No. 31, "a Bill supplementary to the act passed July 28, 1863, entitled "an Act to provide for the trial of offences committed in counties in which the administration of justice may be interrupted by war or insurrection," which was read the first time.

On motion of Mr. Carskadon, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose and the bill read a second time this day and referred to the committee on the Judiciary.

House Bill No. 91, "a Bill imposing taxes" and

House Bill No. 51, "a Bill to provide for the recovery of certain claims transferred to this State by the State of Virginia," were each read the second time and referred to the committee on Finance and Claims.

House Bill No. 42, "a Bill to regulate the fees for appraising property," and

House Bill No. 47, "a Bill to amend the nineteenth section of the act to provide for the forfeiture of property in this State belonging to the enemies thereof," were respectively read the second time and referred to the committee on the Judiciary.

House Bill No. 49, "a Bill to provide for repairing the road and bridges of the Newark and Elizabeth Turnpike Company in the county of Wirt," and

House Bill No. 50, "a Bill amending the act to incorporate the Burning Spring Turnpike Company, passed November 16, 1863," were each read the second time and referred to the committee on Internal Improvements and Navigation.

On motion of Mr. Young, Senate Bill No. 20, "a Bill concerning spirituous liquors," was taken from the table.

On motion of Mr. Bunker the following was added as the fourth section of the bill.

"4. This act shall at the October election next, for State officers, be submitted to the people of the State for ratification or rejection and the voters may endorse on their ballots "For the liquor law" or "Against the liquor law." It shall be the duty of the officers conducting the election to count the votes for and against this act, and to make return of the result to the Board of Supervisors of the county, or if there be no Board of Supervisors, to the Secretary of the State, and said Board of Supervisors shall also make return to the Secretary of the State, of the result of said votes, and if there is a majority of the ballots in favor of this act in this State, then the Governor shall issue his proclamation to the people advising them of the ratification of the same, but if a majority of votes or ballots are against the law then the law, shall be of no force or effect."

The bill was amended on motion of Mr. Atkinson by striking out of line 1 section 2, the words "in this State" and inserting the same after "sold" in line 3 of the same section.

Mr. Carskadon moved to strike out of line 5, section 2, "fifty" and insert "ten."

Mr. Young moved to amend the amendment by making ten dollars the fine for the first offense, but the motion failed, and the original amendment was agreed to.

On motion of Mr. Carskadon the words "for every such offence," were inserted after "and" in line 4, section 4.

Mr. Brown moved to strike out the first section.

Mr. Haymond moved to amend by striking out all after the enacting clause, but the motion failed, as did also the amendment originally proposed.

The bill was further amended, on motion of Mr. Maxwell, by striking out the first section, by striking out of lines 1 and 2 of section 2, the words "after the day and date aforesaid," and by adding as the fourth section :

"4. This act shall be in force from and after the first day of February, 1865."

On motion of Mr. Carskadon by substituting "one" for "six" in line 6, section 2 of printed bill, and

On motion of Mr. Young by substituting "liquor" for "drinks" in line 3, of the same section.

Mr. Haymond moved to amend by adding at the end of the second section (printed bill) the words:

"Nothing in this act shall be so construed as to prohibit the manufacture, sale or use of native wine or cider."

Pending the consideration of this motion the Senate took a recess.

3 O'CLOCK, P. M.

The motion pending at the hour of recess, was agreed to.

On motion of Mr. Bunker, the fourth section was amended so as to read:

"5. This act, if ratified by the people, shall be in force from and after the first day of February, 1865."

The bill was then ordered to engrossment.

Mr. Hawkins from the Committee on Executive Offices, made a report on the condition of the Auditor's office, which report was on motion of Mr. Bunker adopted.

Senate Bill No. 25, "a Bill legalizing the county levy of Morgan county, made for the year 1863" was taken up, the substitute reported therefor by the Committee on the Judiciary adopted, and the bill ordered to engrossment.

Being forthwith engrossed on motion of Mr. Carskadon, the case being urgent, and three fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill read the third time this day, and passed with its title.

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Farnsworth, Hawkins, Haymond, Mahon, Maxwell, Phelps, Slack, and Young—15.

NAYS.—None.

Senate Bill No. 14, "a Bill for the support of the Poor," was read the third time and passed with its title :

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Rollyson, Slack, and Young—16.

NAYS.—Mr. Phelps—1.

Senate Bill No. 22, "a Bill for the relief of certain militia in the county of Upshur," was read the third time.

At the suggestion of Mr. Farnsworth, (Mr. Carskadon in the chair) and by unanimous consent, the bill was amended, by inserting after "their" in line 6, section 2, the word "families."

The bill was passed with its title :

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—18.

NAYS.—None.

A message from the House of Delegates, by Mr. Crawford, reported the passage by that body of the following joint resolution, in which it asked concurrence :

Resolved by the Legislature of West Virginia, That the Governor be hereby empowered to expend a portion of the five thousand dollars placed at his disposal, for the purpose of entertaining the several veteran regiments of this State, in entertaining the Fourth West Virginia Cavalry.

On motion of Mr. Maxwell the resolution was adopted.

House Bill No. 23, "a Bill providing for the payment of certain militia claims allowed by Regimental Courts" was

On motion of Mr. Phelps taken from, and

On motion of Mr. Burley returned to the table.

On motion of Mr. Bunker, the Senate adjourned.

FRIDAY, FEBRUARY 26, 1864.

Prayer by Mr. Carskadon, member of the Senate.

Journal read and approved.

A message from the House of Delegates announced that it had passed House Bill No. 55, "a Bill to fill vacancies in County and

Township offices" and adopted the report of the Conference Committee on House Bill No. 4, "a Bill in relation to Divorces."

The first named bill was read the first time.

Mr. Maxwell, from the Committee on the Judiciary, reported back House Bill No. 21, "a Bill concerning the Unlawful Detention of Real Estate," recommending its passage with the following amendments:

1. Strike out all of the 1st section to the word "may" in the 3rd section and insert:

"1. If any forcible or unlawful entry be made upon lands, or if, when the entry is lawful and peaceable, the tenant shall detain the possession of land after his right has expired, without the consent of him who is entitled to the possession, the party so turned out of possession, no matter what right or title be had thereto, or the party against whom such possession is unlawfully detained."

2. In the 3rd line of the 6th section after the word "party" strike out the words "require further time to procure witnesses" and insert the words "show good cause for a continuance."

The amendments were adopted and the bill read the third time and passed with its title.

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Burley, Carskadon, Copley, Dunbar, Farnsworth, Haymond, Mahon, Maxwell, Phelps, Slack, and Young—16.

NAYS.—None.

Mr. Maxwell, from the same committee, also reported back House Bill No. 47, "a Bill to amend the nineteenth section of the act to provide for the forfeiture of property in this State belonging to the enemies thereof," recommending its passage, and it was read the third time and passed with its title.

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Mr. Maxwell, from the same committee, also reported back Senate Bill No. 21, "a Bill declaring who are citizens of the State and how Citizenship is relinquished," with the following amendments:

1. Strike out of the 3d section all after the word "State" in the 6th line and insert the words: "and any citizens of this State who shall voluntarily levy war against the United States, or shall adhere to the enemies of the same by giving them aid and comfort; or who shall by writing or speaking profess allegiance or fidelity to the so called Confederate States of America; or who shall resist or oppose, or by writing or speaking instigate others to resist or oppose the government of the State of West Virginia, shall be considered as having expatriated himself so far as regards this State and shall thenceforth be deemed no citizen thereof."

2. Strike out of the 5th section all after the words "acts of" in the 2d line and insert the following: "the General Assembly of Virginia, passed February 3, 1863, are hereby repealed; provided that no person who has expatriated himself under any law in force at the time of the passage of this act shall be restored to citizenship by the passage of this act."

The amendments were adopted and the bill ordered to engrossment.

Mr. Maxwell, from the same committee, reported back Senate Bill No. 31, "a Bill supplementary to the act passed July 28, 1863, entitled 'an Act to provide for the trial of offences committed in counties in which the Administration of Justice may be interrupted by War or Insurrection,'" recommending the following amendments:

"Add at the end of the first section the following:

"Bond shall be given by the sheriff so appointed, in such penalty as the judge may prescribe, or may be dispensed with if he shall order."

The amendment was adopted and the bill ordered to engrossment.

Mr. Brown from the Committee on Finance and Claims, reported back House Bill No. 41, "a Bill imposing Taxes" with an amendment striking from the 14th line the words "free school fund" and insert "for the purposes of free schools."

The amendment was agreed to, the bill read a third time and passed with its title.

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Mr. Brown, from the same committee, also reported back, recommending its passage, House Bill No. 51, "a Bill to provide for the Recovery of Certain Claims transferred to this State by the State of Virginia," and it was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Burley, Carskadon, Copely, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Mr. Rollyson, by leave, introduced Senate Bill No. 32, "a Bill to authorize the Governor to compel certain persons to depart from this State," which was read the first time.

On motion of Mr. Farnsworth, the case being urgent and three-fourths of the members present consenting thereto, the rule was sus-

pending for the purpose and the bill read the second time this day and referred to the Committee on the Judiciary.

House Bill No. 43, "a Bill to alter and amend sections nineteen and twenty of chapter sixty-one of the code of Virginia, second edition," was read the second time and referred to the Committee on the Judiciary.

Senate Bill No. 27, "a Bill to amend and re-enact the first and third sections of an act passed February, 1863, entitled 'an act to incorporate the Little Kanawha Navigation Company,' on its third reading was taken up."

On motion of Mr. Stevenson, (Mr. Carskadon in the chair,) the vote ordering it to engrossment was reconsidered and the bill laid on the table.

Senate Bill No. 23, "a Bill to punish Treason against the State," on its third reading, was taken up.

On motion of Mr. Stevenson, the vote ordering it to engrossment was reconsidered, and

On motion of the same, the bill was amended by striking out the second section, striking out of lines 1 and 2, section 3, the words "by adhering to the enemies of the State, giving them aid and comfort" and inserting in lieu of the words stricken out, the words 'against the State.'

The bill was then ordered to engrossment.

Senate Bill No. 28, "a Bill to provide for removing the Seat of Justice of Pocahontas county," was read the third time, amended at the suggestion of Mr. Farnsworth, and by unanimous consent, by substituting "county seat" for Court House" in line 8, and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Phelps, Rollyson, Slack, and Young—13.

NAYS.—Messrs. Atkinson, Brown, Haymond, Hubbard, and Mahon—5.

Senate Bill No. 20, "a Bill concerning Spirituous Liquors" was read the third time, and

On motion of Mr. Stevenson, laid on the table.

On motion of Mr. Farnsworth, Senate Bill No. 6, "a Bill requiring certain persons to take an Oath," was taken up, and it was passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Burley, Carskadon, Dunbar, Farnsworth, Hawkins, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—15.

NAYS.—Messrs. Brown, Copley, and Haymond—3.

On motion of Mr. Burley, Senate Bill No. 26, "a Bill concerning Bounties for Volunteers" was taken up.

Mr. Burley moved to insert after "dollars" line 14 of section 1, the words "provided, however, that the Governor shall pay, out of the appropriation named in this act, to the Supervisors of the several counties for the use of such counties respectively, the amounts which such counties may have levied as county bounties for the purpose of paying Volunteers who may volunteer under the present call, or who may have heretofore volunteered under any previous call of the President of the United States, but no county shall be entitled to receive more than at the rate of two hundred dollars for each Volunteer so paid by such county."

Pending the consideration of this motion the Senate took a recess.

3 O'CLOCK, P. M.

On motion of Mr. Phelps, Senate Bill No. 26, was laid on the table.

On motion of Mr. Stevenson, (Mr. Carskadon in the chair,) Senate Bill No. 27, "a Bill to amend and re-enact the first and third sections of an act, passed February 4, 1863, entitled "an act to incorporate the Little Kanawha Navigation Company," was taken up.

On motion of Mr. Stevenson the vote substituting "Parkersburg" for "the Claysville dam" in line 37 was reconsidered and that amendment rejected.

On motion of the same, the following was added at the end of the second section.

"The said company shall be required to complete their improvement from the Claysville dam aforesaid, to the mouth of the Kanawha River, at Parkersburg, before the first day of November, 1865, or forfeit the right to collect the tolls specially provided for in this act."

The bill was again ordered to engrossment and being forthwith engrossed,

On motion of Mr. Stevenson, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose and the bill was read a third time this day, and passed with its title.

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Mr. Bunker offered the following joint resolution:

Resolved by the Legislature of West Virginia, That the Governor be authorized to procure for and present to the 1st West Virginia Veteran Volunteer Cavalry, a flag with the names of the battle fields upon which they have fought and the dates thereof inscribed thereon.

"Bloomery Gap, Va., Feb. 13, 1862; Winchester, Va., March 28, 1862; McDowell, Va., May 8, 1862; Cross Keys, Va., June 8, 1862; Port Republic, Va., June 8 and 9, 1862; Cedar Mountain, Va., Aug. 9, 1862; Kelly's Ford, Va., Aug. 9, 1862; Bull Run, Va., Aug. 29, 1862; Chantilly, Va., Aug. 31, 1862; South Mountain, Md., Sept. 16, 1862; Antietam, Md., Sept. 17, 1862; Fredericksburg, Va., Dec. 13, 1862; Chancellorsville, Va., May 3, 1863; Hanover, Pa., June 30, 1863; Hunterstown, Pa., July 2, 1863; Gettysburg, Pa., July 3, 1863; Monterey Springs, Pa., July 4, 1863; Hagerstown, Md., July 6, 1863; Boonsboro', Md., July 8, 1863; Brandy Station, Va., Sept. 17 and Oct. 12, 1863; Culpeper C. H., Va., Sept. 17 and Oct. 12, 1863; Morton's Ford, Va., Sept. 18 and 19, 1863; Griffinsburg, Va., Oct. 12, 1863; Stephensburg, Va., Nov. 9, 1863;" and that the cost of said flag be paid out of any money in the treasury appropriated for the defense of the State.

On motion of Mr. Bunker, the rule was suspended and the resolution was adopted this day.

Mr. Bunker was directed to communicate it to the House and request their concurrence.

On motion of Mr. Young, the resolution endorsing President Lincoln's administration, was taken up.

On motion of the same, it was amended by inserting "Kansas" after "Maryland."

Mr. Atkinson offered a substitute for the resolution.

Mr. Atkinson moved that a special committee of five be appointed, to whom the resolution and substitute should be referred.

Mr. Haymond moved as a substitute, that a committee of three be appointed by the President of the Senate, to consider and report upon all buncomb bills and resolutions that may be offered in this body or that may come from the other House, but the motion failed, and the original motion prevailed.

The President appointed as such committee, Messrs. Atkinson, Young, Hubbard, Phelps, and Carskadon.

Mr. Slack, by leave, introduced Senate Bill No. 33, "a Bill making appropriations to pay Certain Military Claims," which was read first time.

On motion of Mr. Young, Senate Bill No. 20, "a Bill concerning Spirituous Liquors" was taken up.

The bill was passed with its title.

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Bunker, Burley, Carskadon, Copely, Dunbar, Farnsworth, Hawkins, Hubbard, Rollyson, and Young—13.

NAYS.—Messrs. Stevenson, (President,) Brown, Haymond, Mahon, Phelps, and Slack—6.

Mr. Phelps moved to take up Senate Bill No. 26, "a Bill concerning Bounties for Volunteers," but the motion failed.

Mr. Farnsworth moved to take up House Bill No. 23, "a Bill providing for the payment of certain Militia Claims allowed by Regimental Courts," but it was not agreed to.

On motion of Mr. Hubbard, the Senate adjourned.

SATURDAY, FEBRUARY 27, 1864.

Prayer by Rev. D. W. Fisher.

Journal read and approved.

A message from the House announced that it had passed House Bill No. 53, "a Bill to stay the sale of live stock," and that it had adopted the joint resolution authorizing the presentation of a banner to the 10th West Virginia Volunteer Infantry, with the following amendments:

1. Strike out the words "who so," in line 4.
2. Strike out "defeated" and insert "defeating," in line 5.
3. Insert "the enemy" after "by," in line 6.
4. By affixing the following words, "The Governor is hereby authorized to draw upon the treasury for the amount necessary to pay for the flag."

The first three of the amendments were agreed to by the Senate, and, on motion of Mr. Brown, the fourth amendment was amended by striking out the words "draw upon the treasury for," and inserting "pay out of the civil contingent fund," and as amended, was agreed to.

House Bill No. 53, was read the first time.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported back House Bill No. 49, "a Bill to provide for repairing the road and bridges of the Newark and Elizabeth Turnpike Company, in the county of Wirt;" and House Bill No. 50, "a Bill amending the act to incorporate the Burning Spring Turnpike Company, passed November 16, 1863," recommending their passage without amendment.

Mr. Maxwell, from the Committee on the Judiciary, reported back House Bill No. 9, "a Bill further to prescribe the powers and duties of Justices and constables," and recommended its passage.

Mr. Phelps, from the Committee on Military Affairs, to whom was referred a resolution directing inquiry into the expediency of providing for the payment of certain military claims against the state of Virginia, reported it inexpedient to legislate upon the subject.

The report was adopted.

Mr. Atkinson, from the Special Committee on the resolutions endorsing President Lincoln's administration, made a report recommending the adoption of the following joint resolution:

Resolved by the Legislature of West Virginia, That we hail with sincere thankfulness to Almighty God, the indications we now have of returning peace—a peace resulting not from compromise with rebels in arms, but from a glorious vindication by our gallant soldiery of the power of the government to sustain itself, and enforce obedience to the laws of the land from every inhabitant thereof.

That we have seen with much satisfaction the expressions of public confidence which have been announced by different state legislatures, and other public bodies; endorsing the measures of the present administration.

That we cordially concur in the general sentiment of the people, that in President Lincoln, we have a chief magistrate in whose wisdom, integrity, and honesty, we have the most unbounded confidence.

And believing that his name will insure unanimity and confidence among loyal men, with more certainty than that of any other man; we look with favor upon the general movement so plainly visible throughout the country for his re-election.

Mr. Hubbard offered the following as a substitute for the resolution, which, on motion of Mr. Carskadon, was adopted:

Resolved by the Legislature of West Virginia,

1. That we have unwavering confidence in the ability, integrity, and capacity of Abraham Lincoln, President of the United States, and that we fully endorse the measures of his administration for the suppression of the rebellion, the preservation of the Union, and the triumph of freedom.

2. That in the earnest conviction that no other man can so fully unite the loyal men of the country, and especially the loyal men of West Virginia, for these great objects; we regard with favor the movement now plainly manifested throughout the country for his re-election to the chief magistracy of the nation.

Mr. Carskadon demanded the yeas and nays on the passage of the resolutions, and they were ordered.

Mr. Brown demanded a division and the question being on the first resolution, it was adopted.

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

The second resolution was adopted by the following vote:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—18.

NAYS.—Mr. Brown—1.

On motion of Mr. Phelps,

Resolved, That the Committee on Township and County Organization, &c., inquire and report as to the expediency of reporting a bill changing the line between Jackson and Mason counties.

Mr. Young, by leave, introduced Senate Bill No. 34, "a Bill providing a bounty for the Fourth West Virginia Cavalry," which was read the first time.

On motion of Mr. Young, the case being urgent, and three-fourths of the members present consenting, the rule was suspended for the purpose, and the bill read a second time and referred to the Committee on Military Affairs.

Mr. Burley, by leave, introduced Senate Bill No. 35, "a Bill to provide for the re-assessment of certain lands, in Pleasants county," which was read the first time.

On motion of Mr. Burley, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill read a second time this day, and referred to the Committee on the Judiciary.

House Bill No. 55, "a Bill to fill vacancies in county and township offices," was read the second time and referred to the Committee on Township and County organization, &c.

House Bill No. 9, "a Bill further to prescribe the powers and duties of justices and constables," was taken up, the question being on the motion to strike out the sixth section, pending when the bill was recommitted.

Mr. Hubbard moved to amend the section by inserting after "such" the words "levy shall be made or the."

Pending the consideration of which the Senate took a recess.

3 O'CLOCK, P. M.

On motion of Mr. Bunker, House Bill No. 9, was laid on the table.

A message from the House by Mr. Ruffner, announced the passage of House Bill No. 33, "a Bill to amend the law concerning insurance and express companies," and asked concurrence.

On motion of Mr. Stevenson, House Bill No. 50, "a Bill amending the act to incorporate the Burning Spring Turnpike Company, passed November 16, 1863," on its third reading was laid on the table.

A message from the House announced the passage by that body of House Bill No. 57, "a Bill to incorporate the West Virginia Central Railway Company," and asked concurrence.

Mr. Bunker, from the Committee on Township and County Organization, &c., reported Senate Bill No. 36, "a Bill to change part of the division line between the counties of Mason and Jackson," which was read the first time.

On motion of Mr. Phelps, the case being urgent, and three-fourths of the members consenting thereto, the rule was suspended for the

purpose, and the bill read the second time and ordered to engrossment.

Being forthwith engrossed, on motion of Mr. Phelps, under a further suspension of the rules, the bill was read a third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Maxwell, Phelps, Rollyson, and Slack—15.

NAYS.—None.

Mr. Phelps was directed to inform the House of its passage.

On motion of Mr. Stevenson, (Mr. Farnsworth in the chair,) House Bill No. 50 was taken from the table.

The bill was amended, on motion of Mr. Stevenson, by prefixing to the first section the words "The first section of an act entitled 'an act to incorporate the Burning Spring Turnpike Company, passed November 16, 1863,' " shall be amended and re-enacted so as to read as follows, and

On motion of Mr. Maxwell by striking out the second section, and as amended, was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Maxwell, Rollyson, and Slack—13.

NAYS.—None.

On motion of Mr. Hubbard, House Bill No. 52, "a Bill for the incorporation of cemetery associations," was taken from the table.

The bill was read the second time and referred to the Committee on banks and corporations.

House Bill No. 49, "a Bill to provide for repairing the road and bridges of the Newark and Elizabeth Turnpike Company, in the county of Wirt, was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Rollyson, and Slack—15.

NAYS.—None.

Senate Bill No. 29, "a Bill to provide for the sale of real estate, delinquent for the non-payment of taxes levied by counties or townships," was read the second time, amended,

On motion of Mr. Maxwell, by inserting the words "or redeemed," at the end of line 4, section 1, and ordered to engrossment.

Senate Bill No. 30, "a Bill in relation to the limitations of civil actions," was read the second time and ordered to engrossment.

Senate Bill No. 21, "a Bill declaring who are citizens of the State, and how citizenship is relinquished," was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, and Rollyson—15.

NAYS.—Mr. Haymond—1.

Senate Bill No. 23, "a Bill to punish treason against the State," on its third reading was, on motion of Mr. Hubbard, laid on the table.

On motion of Mr. Phelps, Senate Bill No. 13, "a Bill giving justices jurisdiction in cases of assault and battery," was taken from the table.

On its passage Mr. Maxwell demanded the previous question, and the demand was sustained, but the Senate refused to order the main question.

On motion of Mr. Phelps, the bill was laid on the table.

Mr. Stevenson, (Mr. Farnsworth in the chair,) moved to take up the report of the conference committee on House Bill No. 4, "a Bill in relation to divorces," but the motion failed.

On motion of Mr. Stevenson, House Bill No. 14, "a Bill to authorize the board of public works to employ superintendents on turnpikes belonging to the State," was taken from the table.

On motion of the same, the Senate insisted on its amendment to the bill and requested a committee of conference.

The presiding officer appointed as such committee on the part of the Senate, Messrs. Phelps, and Brown.

On motion of Mr. Haymond, House Bill No. 15, "a Bill declaring the Meat House Fork of Middle Island Creek, in the county of Doddridge, a public highway," was taken up.

On motion of Mr. Maxwell, it was amended by striking out of the first section "Tom's Fork," and inserting "Lick Run;" by inserting after "milldam," line 1, section 2, "or watergap;" and by inserting after "existing" in the same line, the words, "nor any water-gap that may be hereafter erected on the same principle."

As amended, the bill was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, and Slack—16.

NAYS.—None.

On motion of Mr. Carskadon, House Bill No. 57, "a Bill to incorporate the West Virginia Central Railway Company," was read the first time, and,

On motion of the same, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended

for the purpose, and the bill read a second time this day and referred to the Committee on Internal Improvements and Navigation.

Senate Bill No. 31, "a Bill supplementary to the act passed July 28, 1863, entitled 'an Act to provide for the trial of offences committed in counties in which the administration of justice may be interrupted by war or insurrection,'" was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, and Slack—16.

NAYS.—None.

On motion of Mr. Copley, the Senate adjourned.

MONDAY, FEBRUARY 29, 1864.

Prayer by Rev. Mr. Phelps member of the Senate.

The Journal was read and approved.

A message from the House communicated the passage of a substitute for

Senate Bill No. 2, "a Bill for the relief of the families of soldiers of the State living in unorganized counties;" the rejection of

Senate Bill No. 19, "a Bill amendatory of the act entitled 'an Act for the collection of Taxes,' passed December 7, 1863;" and the agreement of that body to the amendments of the Senate to

House Bill No. 21, "a Bill concerning the unlawful detention of real estate."

On motion of Mr. Carskadon, the Senate agreed to said substitute to the first named bill.

Mr. Farnsworth, from the Committee on Internal Improvements and Navigation, reported back

House Bill No. 57, "a Bill to incorporate the West Virginia Central Railway Company," recommending its passage.

Mr. Maxwell, from the Committee on the Judiciary, reported back

Senate Bill No. 32, "a Bill to authorize the Governor to compel certain persons to depart from this State," recommending the adoption of the two amendments following:

1. Strike out of the 1st section the words "as a proper State Government."

2. And the following as section 2.

"2. The powers vested in the Governor by this act shall be exercised only upon satisfactory evidence of the necessity of such action based upon oath or affirmation, and upon the petition of at least

twelve respectable citizens of the neighborhood in which the party proceeded against last resided."

He also reported back Senate Bill No. 35, "a Bill to provide for there-assessment of the lands in Pleasants county," with a substitute for the bill and title.

He also reported back House Bill No. 42, "a Bill to regulate the fees for appraising property," recommending that it do not pass.

Mr. Bunker, from the Committee on Township and County Organization, &c., reported back

House Bill No. 55, "a Bill to fill vacancies in county and township offices" recommending that it pass, with an amendment inserting after the words "Clerk of the Circuit Court," in the second line of the 1st section, the word "Recorder."

House Bill No. 33, "a Bill to amend the law concerning Insurance and Express Companies," was read the first time.

On motion of Mr. Hubbard, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill read the second time, and referred to the committee on Finance and Claims.

House Bill No. 53, "a bill to stay the sale of live stock," was read the second time and referred to the committee on the Judiciary.

House Bill No. 57, "a Bill to incorporate the West Virginia Central Railway Company," was read by sections for amendment.

On motion of Mr. Hubbard the 1st section, line 21, was amended by striking out the words "as hereinafter provided," and inserting them after the word "subscribed" in the same line; and

On motion of the same, the following was added at the end of the 1st section: "provided said subscription shall have been made, in good faith, within three years after the passage of this act."

On motion of Mr. Stevenson the words "especially such as are specified in chapters 56, 57 and 61 thereof," were inserted after the word "Code," line 6, section 4.

On motion of Mr. Maxwell the words "and liabilities" were inserted after the word "provisions," line 5, section 4.

Mr. Hubbard moved to amend the 5th section, by striking out all after the word "shall," in the 11th line, to the end of the section, and insert: "be required to commence the construction of their said railway within five years from the passage of this act," which was agreed to.

Mr. Stevenson offered the following to be added at the end of the 5th section:

"And shall finish one-fourth thereof within ten years from the time of commencement."

Mr. Phelps moved to strike out of said amendment "ten" and insert "five," but it was not agreed to.

Mr. Stevenson's amendment was adopted.

Mr. Hubbard moved to strike out the 7th section, but the motion did not prevail.

On motion of Mr. Phelps the 9th section was amended by striking out all after "to," in the 1st line to the word "all" in the 4th line, and inserting "sell to the West Virginia Central Railway Company."

On motion of Mr. Stevenson the following was added at the end of the 9th section: "and in consideration of the privileges granted by this act, said West Virginia Central Railway Company are hereby required to purchase the same on such conditions as to the time of payment as may be agreed upon between the said company and the Board of Public Works."

On motion of Mr. Burley, the words "and the said Board are hereby required," were inserted after the word "Works" in the 1st line of the 9th section.

Twelve and a half o'clock having arrived the Senate took a recess.

3 O'CLOCK, P. M.

The Senate re-assembled.

Mr. Stevenson moved to strike out the 10th section of the pending bill, which was agreed to.

On motion of Mr. Maxwell the first sentence of the 11th section, repealing the charter of the Elk River Railroad Company, was stricken out.

On motion of Mr. Stevenson the 4th section was further amended by adding after his former amendment thereto, the words "and of all other general laws now in force relating to railroad companies."

On motion of Mr. Burley the Senate reconsidered the three votes adopting amendments to the 9th section, and they were severally rejected.

Mr. Maxwell moved to strike out the 9th section, but the motion was lost.

On motion of Mr. Burley the Senate reconsidered the vote striking out the 10th section, and refused to strike out the same.

On motion of Mr. Phelps the bill was tabled.

A message from the House by Mr. Ruffner, announced the passage of Senate Bill No. 11, "a Bill appropriating the Public Revenue for the fiscal year 1863-4, and a part of the fiscal year 1864-5," with the following amendments:

1. Strike out of the 1st line the words "the surplus of," and insert after the word "made" in the same line "and unexpended."

2. In line 48, strike out "two and insert "one."

3. Add to the 1st section, "to W. H. Copley, of Wayne county, for expenses in taking care of records of said county, fifteen dollars.

To the Clerk of the House of Delegates for services in recess, two sessions, one hundred and fifty dollars.

4. After jails, line 25, insert "and their removal."

5. Between lines 39 and 40 insert: "For salary of Governor two thousand dollars, Auditor one thousand five hundred dollars, Treasurer one thousand four hundred dollars, Secretary of the State one thousand three hundred dollars, and Attorney General one thousand dollars.

6. In line 75 strike out "thirty-five" and insert "six."

The first five amendments were agreed to, and pending the consideration of the sixth,

On motion of Mr. Atkinson the Senate adjourned.

TUESDAY, MARCH 1, 1864.

Prayer by Rev. Mr. Young, a member of the Senate.

Journal was read and approved.

The following message was received from the House :

"The House concurs in the Senate's amendment to the 4th amendment of the House to the joint resolution authorizing the Governor to present a banner to the 10th Regiment West Virginia Volunteer Infantry and in the amendments of the Senate to the following bills :

House Bill No. 50, "a Bill amending the act to incorporate the Burning Spring Turnpike Company, passed November 16, 1863."

House Bill No. 15, "a Bill declaring the Meat House Fork of Middle Island Creek, in Doddridge county, a public highway ;" and

House Bill No. 41, "a Bill imposing Taxes."

The House accedes to the request of the Senate for a conference committee to consider the disagreement of the two Houses upon the amendment of the Senate to House Bill No. 14, "a Bill to authorize the Board of Public Works to employ superintendents on turnpikes belonging to the State ;" and has appointed as managers on the part of the House, Messrs. Lamb, Goff, and Lough."

Mr. Maxwell from the Committee on the Judiciary reported back

House Bill No. 43, "a Bill to alter and amend sections nineteen and twenty of chapter sixty-one of the Code of Virginia, second edition," with an amendment making the title read as follows: "an act to regulate the fees and commissions of Railroad Agents."

The said amendment was adopted, and the bill read the third time, and on motion of Mr. Atkinson it was tabled.

He also reported back House Bill No, 7, "a Bill to exempt a certain amount of property from execution or other process," with an

amendment inserting in section 12, line 11, before the word "dead," the words not found, on his wife, or if he be," which was agreed to.

Mr. Young moved to amend the first section by striking out "two," and inserting "three," which was lost.

Mr. Haymond moved to strike out of the 2d section "householders," and insert "housekeepers," which was likewise lost.

The bill was then read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—20.

NAYS.—None.

Ordered, That Mr. Maxwell inform the House.

Mr. Brown from the Committee on Finance and Claims, reported back House Bill No. 33, "a Bill to amend the law concerning Insurance and Express Companies," recommending its passage.

Mr. Burley moved that it be tabled and printed.

Mr. Hubbard demanded a division, and the motion to table was adopted and the motion to print rejected.

Mr. Slack reported that sundry enrolled bills and resolutions had been examined by the Committee and found correctly enrolled.

On motion of Mr. Rollyson, Senate Bill No. 32, "a Bill to authorize the Governor to apprehend and secure certain persons or compel them to depart from this State," was taken up out of order, and the two amendments proposed by the committee were adopted, and the bill read the second time and ordered to be engrossed; and being forthwith engrossed,

On motion of Mr. Rollyson the case being urgent and three-fourths of the members present consenting thereto, the rule was suspended for the purpose and said bill read the third time and passed with its title.

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—18.

NAYS.—Mr. Haymond—1.

Ordered, That Mr. Rollyson inform the House.

House Bill No. 42, "a Bill to regulate the fees for appraising property," was read the third time and rejected:

YEAS.—Messrs. Stevenson, (President,) Bechtol Bunker, Haymond, Phelps, and Slack—6.

NAYS.—Messrs. Atkinson, Bowen, Brown, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Mahon, and Maxwell—12.

The Senate adopted the amendment proposed by the committee to House Bill No. 55, "a Bill to fill vacancies in county and town-

ship offices ;" and the bill was read the third time, and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Haymond, Hawkins, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—18.

NAYS.—None.

Mr. Hubbard, from the Committee on Banks and Corporations, reported back

House Bill No. 52, "a Bill for the incorporation of Cemetery Associations," recommending its passage; and it was read the third time. But on motion of Mr. Hubbard it was tabled.

Senate Bill No. 30, "a Bill in relation to the limitations of civil actions," was read the third time, and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Rollyson, Slack, and Young—17.

NAYS.—None.

Twelve and a half o'clock having arrived the Senate took a recess until 3 o'clock.

3 O'CLOCK, P. M.

The Senate re-assembled.

Senate Bill No. 29, a Bill to provide for the sale of real estate, delinquent for the non-payment of taxes levied by counties or townships," was read the third time and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, Rollyson, and Young—17.

NAYS.—None.

The Senate resumed the consideration of Senate Bill No. 11, "a Bill appropriating the Public Revenue for the fiscal year 1863-4, and a part of the fiscal year 1864-5."

Mr. Rollyson moved that the Senate disagree to the 6th amendment proposed by the House to said bill, and the motion was adopted.

Ordered, That Mr. Rollyson inform the House of the action of the Senate in regard to the amendments to said bill.

The Senate adopted the substitute offered by the Committee, for Senate Bill No. 35, "a Bill to provide for the reassessment of the lands in Pleasants county," read the bill the second time, and ordered it to engrossment; and being forthwith engrossed.

On motion of Mr. Burley, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and the bill read the third time, and passed with its amended title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Bunker, Burley, Carskadon, Copely, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—20.

NAYS.—None.

Ordered, That Mr. Burley so inform the House.

On motion of Mr. Phelps, Senate Bill No. 13, "a Bill giving Justices jurisdiction in cases of Assault and Battery," was taken up, read the third time and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Burley, Carskadon, Copley, Dunbar, Farnsworth, Haymond, Hubbard, Mahon Phelps, Rollyson, Slack, and Young—13.

NAYS.—Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Hawkins, and Maxwell—7.

Ordered, That Mr. Phelps so inform the House.

Senate Bill No. 33, "a Bill making an appropriation to pay certain military claims," was read by sections.

On motion of Mr. Dunbar the following was added at the end of the bill :

"To Jubal Stover of Kanawha county, \$20.00."

Mr. Maxwell moved that the following be added at the end of the bill : "To citizens of Tyler county for subsistence furnished by them to Tyler county militia during the Jones raid, such sum as may be certified by the Adjutant General of the State to be correct not exceeding \$100.00," but the motion was rejected.

Mr. Bunker offered the following to be added at the end of the bill : "To Henry Reed for transportation \$5.00 ; and to Col. F. R. St. Clair \$50.00 for subsistence," but this motion was likewise lost.

The bill was then ordered to be engrossed.

Mr. Farnsworth moved to take from the table, House Bill No. 57, "a Bill to incorporate the West Virginia Central Railway Company," and it was agreed to.

Mr. Young moved that the Senate reconsider the vote by which, on yesterday, the first sentence of section 11 was stricken out, which was agreed to ; and the motion to strike out failed.

On motion of Mr. Farnsworth the following was inserted after the word "Wayne," section 2, line 8 ; "with the right to construct a branch from Charleston, in the county of Kanawha, to the Ohio River at Point Pleasant, in the county of Mason, subject to all the rights and privileges of this act."

The bill was then read the third time and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Bechtol, Bowen, Brown, Bunker, Burley, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Phelps, Slack, and Young—15.

NAYS.—Messrs. Atkinson, Carskadon, and Maxwell—3.

A message from the House, by Mr. Dawson, announced the passage of House Bill No. 61, "a Bill to amend the act entitled 'an Act providing for the establishment of a system of Free Schools,' " which was read the first time.

On motion of Mr. Atkinson, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose and the bill read the second time and referred to the Committee on Education.

A message from the House, by Mr. Lamb, announced that the House insists on its 6th amendment to

Senate Bill No. 11, "a Bill appropriating the Public Revenue for the fiscal year 1863-4, and a part of the fiscal year 1864-5."

On motion of Mr. Farnsworth the Senate insisted on its disagreement to said amendment, and asked for a Committee of Conference, to consider the disagreeing votes of the two branches thereon.

The President appointed as such committee on the part of the Senate, Messrs. Farnsworth and Brown.

And on motion of Mr. Bunker the Senate adjourned.

WEDNESDAY, MARCH 2, 1864.

Prayer by Prof. Andrews, President of Marietta College.

The Journal was read and approved.

The following message was received from the House.

The House has indefinitely postponed Senate Bill No. 20, "a Bill concerning spirituous liquors;" has agreed to the amendment of the Senate to House Bill No. 7, "a Bill to exempt a certain amount of property from execution or other process;" and passed the following Senate Bills:

No. 17, "a Bill to authorize suits in Lewis county, in cases heretofore cognizable in the courts of Braxton county."

No. 25, "a Bill legalizing the county levy for Morgan county, made for the year 1863," and

No. 27, "a Bill to amend and re-enact the first and third sections of the act passed February 4, 1863, entitled 'an Act to incorporate the Little Kanawha Navigation Company.'"

The House has rejected Senate Bill No. 22, "a Bill for the relief of certain militia in the county of Upshur."

Mr. Atkinson, from the Committee on Education, reported back House Bill No. 61, "a Bill to amend the act entitled 'an Act providing for the establishment of a system of free schools,' recommending its passage with an amendment striking out the 2d, 3d, 4th, and 5th sections.

Mr. Slack reported that sundry enrolled bills and resolutions had been examined by the committee and found correctly enrolled.

The report was adopted.

Mr. Phelps, from the committee of conference in regard to House Bill No. 14, "a Bill to authorize the board of public works to employ superintendents on turnpikes belonging to the State," submitted a report recommending that the Senate recede from its amendment to said bill.

But the report was rejected.

On motion of Mr. Hubbard, House Bill No. 52, "a Bill for the incorporation of Cemetery Associations," was taken from the table; and on his motion, and by general consent, was amended by adding at the end of the 4th section the words: "The proceeds of such conveyances after paying the original purchase money of the land and the expenses connected therewith, shall be applied to the care and adornment of the cemetery."

The bill was passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Carskadon, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Phelps, Rollyson, Slack, and Young—15.

NAYS.—Messrs. Bunker, Burley, Copley, Haymond, and Maxwell—5.

Ordered, That Mr. Hubbard inform the House thereof.

On motion of Mr. Hubbard, House Bill No. 33, "a Bill to amend the law concerning Insurance and Express Companies," was taken up.

The bill was passed with its title:

YEAS.—Messrs. Atkinson, Bechtol, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, and Slack—14.

NAYS.—Messrs. Stevenson, (President,) Burley, Maxwell, Rollyson, and Young—5.

Ordered, That Mr. Hubbard so inform the House.

Senate Bill No. 33, "a Bill making an appropriation to pay certain military claims, was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bechtol, Bowen, Brown, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Phelps, Slack, and Young—16.

NAYS.—Messrs. Bunker, and Maxwell—2.

A message from the House by Mr. Crawford, announced the passage of Senate Bill No. 14, "a Bill for the support of the poor," with the following amendments:

1st. Reinstate that portion of the printed bill stricken out by the Senate, including the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, and 10th sections.

2d. Strike out section 16, of the engrossed bill, and insert :

"The overseers of the poor of each county shall be a corporation by the name of "The overseers of the poor of —— county," and as such, may purchase land and build thereon a poor house or house for the poor, and may sell and convey lands ; but the costs of the land and the cost of the house shall first be estimated and reported by the overseers of the poor, and approved by the voters of the county at some regular election. The board of overseers may provide on said land stock and implements of husbandry, and use such houses and lands as a place of general reception for the poor."

3d. Strike out the 17th section and insert :

"The board of overseers may employ managers, physicians, nurses, and prescribe regulations for the management and good government of the same, and for the introduction and promotion of morality and industry of the occupants."

On motion of Mr. Dunbar, the Senate reconsidered the vote taken on the 19th day of February, rejecting House Bill No. 25, "a Bill providing for the repair of the Walnut Gap Road, in Boone and Wyoming counties."

Mr. Phelps was directed to request the House to return the bill to the Senate, who performed that duty, and laid the bill before the Senate.

The Senate then adopted the amendment proposed by the committee to House Bill No. 61, "a Bill to amend the act entitled 'an Act providing for the establishment of a system of free Schools.'"

And twelve and a-half o'clock having arrived, the Senate took a recess until three o'clock.

3 O'CLOCK, P. M.

The Senate re-assembled.

The President signed the following enrolled bills and joint resolutions :

An Act supplementary to the act to provide for the relief of the families of soldiers.

An Act requiring copies of official bonds to be transmitted to the Auditor.

An Act to allow Alfred Brown to build a mill at Red House Shoals, in Putnam county.

An Act in Relation to the collection of the public revenue for the year 1863.

An Act relating to the fees of jailors.

An Act amending and re-enacting the first section of an act entitled 'an act supplementary to the act to provide for the relief of the families of soldiers.'

An Act to amend and re-enact the first section of an act entitled 'an act to provide how notices shall be given of applications to the Legislature for special acts concerning Banks of Circulation or Internal Improvement Companies,' passed October 24, 1863.

An Act to authorize suits to be brought in the county of Preston, in cases heretofore cognizable in certain other counties.

An Act to provide for the collection of taxes, passed February 12, 1864.

An Act concerning deputy assessors.

An Act for the relief of William Nixon, and William Turner.

An Act to allow the Recorders of Gilmer and Ritchie counties to issue license for the marriage of persons residing in Calhoun county.

An Act giving certain officers further time to qualify and give bond.

An Act to provide for repairing the road and rebuilding the bridges of the Sistersville and Salem Turnpike Company, in the county of Tyler.

An Act to amend the act to regulate elections by the people.

An Act to regulate municipal elections.

An Act to amend the 19th section of the act to provide for the forfeiture of property in this State belonging to the enemies thereof.

An Act to provide for the recovery of certain claims transferred to this State by the State of Virginia.

An Act concerning the unlawful detention of real estate.

An Act to provide for repairing the road and bridges of the Newark and Elizabeth Turnpike Company, in the county of Wirt.

An Act declaring the Meat House Fork of Middle Island Creek, in the county of Doddridge, a public highway.

An Act imposing taxes.

An Act amending the act to incorporate the Burning Spring Turnpike Company, passed November 16, 1863.

An Act for the relief of the families of soldiers of this State, enlisted beyond the lines of the Union army.

No. 1.—Joint Resolution raising a Committee to wait upon the Governor.

No. 2.—Joint Resolution in regard to the printing of the Governor's message.

No. 3.—Joint Resolution concerning Federal restrictions on trade and commerce.

No. 4.—Joint Resolution authorizing the Auditor to employ an additional Clerk.

No. 5.—Joint Resolution directing the Governor to present a banner to the 7th West Virginia Regiment.

No. 6.—Joint Resolution fixing a day for electing a State Superintendent of Free Schools.

No. 7.—Joint Resolution authorizing and requesting the Governor to present a banner to the 4th West Virginia Regiment of Infantry.

No. 8.—Joint Resolution requesting the Governor to procure and communicate information respecting measures for the defense of the State.

No. 9.—Joint Resolution respecting the act of Congress for the endowment of Agricultural Colleges.

No. 10.—Joint Resolution requiring a report from the board of public works upon the condition of the State roads.

No. 11.—Joint Resolution authorizing the Adjutant General to audit certain military claims.

No. 12.—Joint Resolution to provide for distributing the acts of the first and second sessions of the Legislature.

No. 13.—Joint Resolution concerning the celebration of Washington's birthday.

No. 14.—Joint Resolution requesting an increase of the military force within and a commander for, the department of West Virginia.

No. 15.—Joint Resolution providing for the entertainment of the 4th Regiment West Virginia Volunteer Cavalry.

No. 16.—Joint Resolution authorizing the Governor to present a banner to the 1st Regiment West Virginia Volunteer Cavalry.

No. 17.—Joint Resolution authorizing the Governor to present a banner to the 10th West Virginia Volunteer Infantry.

A message from the House announced the passage of, and asked concurrence in, the following bills:

House Bill No. 37, "a Bill for the encouragement of foreign emigration to this State."

House Bill No. 56, "a Bill for the re-organization of the military forces of the State."

House Bill No. 60, "a Bill to amend the act entitled 'an act relating to townships and township officers,' passed November 2, 1863."

House Bill No. 62, "a Bill to amend and re-enact the charter of the town of Mannington, in Marion county."

House Bill No. 63, "a Bill to regulate the tolls of ferries."

House Bill No. 67, "a Bill to allow corporations to issue preferred stock," and

House Bill No. 68, "a Bill to regulate allowances to recorders."

And also that the House had adopted the report of the conference committee on

Senate Bill No. 11, "a Bill appropriating the public revenue for the fiscal year 1863-4, and a part of the fiscal year 1864-5," which report was that the Senate recede from its disagreement to the 6th amendment of the House, and agree thereto.

House Bill No. 61, "a Bill to amend the act entitled 'an Act providing for the establishment of a system of free schools,'" was taken up, the amendment of the committee adopted, and the bill passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, and Slack—16.

NAYS.—Mr. Brown—1.

Ordered, That Mr. Atkinson so inform the House.

House Bill No. 25, "a Bill providing for the repair of the Walnut Gap Road, in Boone and Wyoming counties," was passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Carskadon, Copley, Dunbar, Farnsworth, Mahon, Phelps, Slack, and Young—11.

NAYS.—Messrs. Brown, Bunker, Burley, Hawkins, Haymond, Maxwell, and Rollyson—7.

Ordered, That Mr. Maxwell so inform the House.

On motion of Mr. Maxwell, Senate Bill No. 23, "a Bill to punish treason against the State," was taken up and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—19.

NAYS.—None.

Ordered, That Mr. Maxwell so inform the House.

Mr. Farnsworth made the following report :

The conference committee of the two Houses, to whom was referred Senate Bill No. 11, "a Bill appropriating the public revenue," have had the same under consideration, and report that by a majority of one, have decided to recommend that the Senate recede from its disagreement to the House amendment; which changes the appropriation to the West Virginia Hospital for the Insane, at Weston, from \$35,000 to \$6,000.

Respectfully submitted with the protest of the chairman.

D. D. T. FARNSWORTH, *Chairman*.

The report was adopted.

The President laid before the Senate the following message :

EXECUTIVE DEPARTMENT, WHEELING, March 2, 1864.

TO WILLIAM E. STEVENSON, Esq., *President of the Senate* :

I nominate to the Senate for confirmation, the following military officers :

For Brigadier General of the first brigade, West Virginia Militia, William L. Crawford.

For Brigadier General of the second brigade, Andrew S. Core.

For Brigadier General of the third brigade, Edward C. Bunker.

For Brigadier General of the fifth brigade, Henry F. Westfall.

For Brigadier General of the seventh brigade, George C. Bowyer.

The territory contained within the boundaries of the other brigades established by law, is so overrun by the enemy that I have thought it would be doing the loyal people of those brigades injustice to make nominations at present, to fill the military offices to which they are entitled.

A. I. BOREMAN.

On motion of Mr. Maxwell, the said message was referred to the Committee on Military Affairs.

The Senate disagreed to the three amendments of the House to Senate Bill No. 14, "a Bill for the support of the poor."

Mr. Hubbard was directed to inform the House of said action.

On motion of Mr. Hawkins, House Bill No. 23, "a Bill providing

for the payment of certain militia claims allowed by regimental courts," was taken up.

YEAS.—Messrs. Atkinson, Bowen, Burley, Farnsworth, Hawkins, Haymond, Hubbard, Mahon, and Phelps—9.

NAYS.—Messrs. Stevenson, (President,) Brown, Bunker, Carskadon, Copley, Dunbar, and Slack—7.

The bill was rejected.

House Bill No. 37, "a Bill for the encouragement of foreign emigration to this State, was read the first time.

On motion of Mr. Maxwell, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended for the purpose, and read the second time; and on motion of Mr. Bunker, under a like suspension of the rule, the bill was read the third time and passed with its title:

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Brown, Bunker, Burley, Copley, Dunbar, Farnsworth, Hawkins, Hubbard, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—17.

NAYS.—Mr. Carskadon—1.

On motion of Mr. Brown, House Bill No. 43, "a Bill to alter and amend sections nineteen and twenty of chapter sixty-one of the code of Virginia, second edition," was taken up and amended, on motion of Mr. Burley, by inserting after "mile," section 1, line 11, the words "for the transportation of coal, iron ore, or fire brick, not exceeding two cents per ton, per mile."

Mr. Burley moved further to amend by striking out of the first section all after the semicolon, in the 11th line, to the period in line 14; but the motion was rejected.

Mr. Burley moved further to amend, by adding at the end of the 26th line, section 1, the words, "to be paid by the company;" pending which, on motion of Mr. Hubbard, the bill was laid on the table.

A message from the House by Mr. Alexander, announced the passage of, and asked concurrence in, the following:

Resolved by the Legislature of West Virginia, That the Governor is hereby authorized to employ a private secretary, and pay his salary out of the civil contingent fund, not exceeding one thousand dollars in amount.

On motion of Mr. Bunker, the resolution was tabled.

A further message by Mr. Dawson, announced the passage of and asked concurrence in, the following:

Resolved by the Legislature of West Virginia, That the Governor of this State be requested to procure for and present to the Sixth West Virginia Cavalry, a suitable flag, to be inscribed with the names of the battles in which this regiment has been engaged, viz:

McDowell, May 1862; Cross Keys, June 1862; White Sulphur, August 1862; Waterloo Bridge, August 1862; Bull Run, Aug. 1862;

Rocky Gap, August 1863; Droop Mountain, October 1863; Salem Raid, December 1863; and that he be authorized to draw on the civil contingent fund for the amount required for the purchase of said flag.

The resolution was adopted.

A further message by the same, announced the passage of, and asked concurrence in the following:

Resolved by the Legislature of West Virginia, That the Governor of this State be requested to procure for, and present to the Seventh West Virginia Cavalry, (late 8th Vol. Inf.) "a suitable flag, to be inscribed with the names of the battles in which this regiment has been engaged, viz:

"Strausburg, June 1862; Harrisonburg, June 1862; Cross Keys, June 1862; Freeman's Ford, August 1862; Sulphur Springs, August 1862; Waterloo Bridge, August 1862; Bull Run, August 1862; Droop Mountain, October 1863; Salem Raid, December 1863; and that he be authorized to draw on the civil contingent fund for the amount required for the purchase of said flag."

The resolution was adopted.

A message from the House by Mr. Crawford, announced that the House insists on its amendments to Senate Bill No. 14, "a Bill for the support of the poor," and asks for a committee of conference.

And on motion of Mr. Dunbar, the Senate adjourned.

THURSDAY, MARCH 3, 1864.

Prayer by Mr. Carskadon.

The Journal was read and approved.

On motion of Mr. Hubbard the Senate agreed to the appointment of a Conference Committee on

Senate Bill No. 14, "a Bill for the Support of the Poor," and appointed on the part of the Senate Messrs. Hubbard and Maxwell.

Mr. Hubbard was directed so to inform the House.

Mr. Slack reported that sundry Enrolled Bills and Resolutions had been examined by the committee and found them correctly enrolled.

Mr. Maxwell, from the Committee on the Judiciary reported back

House Bill No. 53, "a Bill to stay the sale of live stock," with an amendment striking out "June" wherever it occurs, and inserting "May."

Mr. Maxwell was directed to ask the House to return House Bill No. 23, "a Bill providing for the payment of certain militia claims allowed by Regimental Courts," which he did, and returned the bill.

On motion of Mr. Brown the vote rejecting the bill on yesterday

was reconsidered, and the bill amended by inserting as section two the following:

"2. That the sum of six thousand dollars for the payment of certain militia claims allowed by Regimental Courts, appropriated under the act appropriating the Public Revenue for the fiscal year 1863-4 and a part of the fiscal year 1864-5, passed 2d March 1864, be and the same is hereby appropriated for the payment of the militia claims authorized to be paid by this act."

The bill was then passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Brown, Bunker, Burley, Carskadon, Copely, Dunbar, Farnsworth, Hawkins, Haymond, and Maxwell—13.

NAYS.—Messrs. Phelps, Rollyson, Slack, and Young—4.

Ordered, That Mr. Haymond so inform the House.

On motion of Mr. Carskadon, Mr. Copley was allowed mileage for 320 miles instead of 220 as heretofore reported and adopted.

Mr. Phelps offered the following :

Resolved, by the Legislature of West Virginia, That the Governor be requested to procure and present the Fifth West Virginia Cavalry, a suitable flag to be inscribed with the names of the battles in which this Regiment has been engaged, viz :

Laurel Hill, July 1861 ; Carrick's Ford, July 1861 ; Alleghany, Dec. 1861 ; Huntersville, Dec. 1861 ; McDowell, May 1862 ; Cross Keys, June 1862 ; Port Republic, June 1862 ; Cedar Mountain, July 1862 ; Kelley's Ford, Aug. 1862 ; Sulghur Springs, Aug. 1862 ; Waterloo Bridge, Aug. 1862 ; Bull Run, Aug. 1862 ; Beverly, April 1863 ; Rocky Gap, August 1863 ; Droop Mountain, Oct. 1863 ; Salem Raid, Dec. 1863 ; and that he be authorized to draw on the civil contingent fund for the amount required for the purchase of said flag.

On motion of Mr. Phelps the rule was suspended and the resolution adopted.

Ordered, That Mr. Phelps inform the House thereof.

House Bill No. 62, "a Bill to amend and re-enact the charter of the town of Mannington in Marion county," was read the first time.

On motion of Mr. Burley, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended, and the bill read the second time.

On motion of Mr. Brown the following additional section was added to the bill :

"17. The provisions of the 54th chapter of the Code of Virginia, second edition, so far as the same are not inconsistent with this act, shall be applicable to said incorporation.

On motion of Mr. Burley, and under a like suspension of the rule, said bill was read the third time, and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Maxwell, Rollyson, Slack, and Young—15.

NAYS.—None.

Ordered, That Mr. Burley so inform the House.

House Bill No. 67, "a Bill to allow corporations to issue preferred stock," was read the first time.

On motion of Mr. Carskadon, the case being urgent and three-fourths of the members present consenting thereto, the rule was suspended, and the bill read the second and third time this day, and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Brown, Bunker, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—17.

NAYS.—None.

Ordered, That Mr. Carskadon inform the House thereof.

On motion of Mr. Bunker the joint resolution authorizing the Governor to employ a Private Secretary at a price not exceeding one thousand dollars," was taken up and adopted.

House Bill No. 63, "a Bill to regulate the tolls of ferries," was read the first time.

On motion of Mr. Hawkins, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended, and the bill read the second and third times, and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Mahon, Phelps, Rollyson, Slack, and Young—17.

NAYS.—Mr. Maxwell—1.

Ordered, That Mr. Hawkins so inform the House.

House Bill No. 68, "a Bill to regulate allowances to Recorders," was read the first time.

On motion of Mr. Brown, the case being urgent, and three-fourths of the members present consenting thereto, the rule was suspended and the bill read the second and third times and passed with its title :

YEAS.—Messrs. Stevenson, (President,) Atkinson, Bowen, Brown, Bunker, Burley, Carskadon, Copley, Dunbar, Farnsworth, Hawkins, Haymond, Mahon, Maxwell, Phelps, Rollyson, Slack, and Young—18.

NAYS.—None.

Ordered, That Mr. Brown inform the House thereof.

Mr. Phelps, from the Military Committee reported back the Governor's communication nominating certain Brigadier Generals, without any recommendation.

On motion of Mr. Farnsworth, the Senate went into Executive Session, subsequently

Mr. Hubbard submitted the following:

The Committee of Conference to whom was referred the disagreement of the two branches of the Legislature, on Senate Bill No. 14, "a Bill for the support of the poor," having had the same under consideration and respectfully recommend that the House recede from its 1st amendment, and that the 2d and 3d amendments be embodied to read as follows:

Strike out sections 16 and 17 of the engrossed bill and insert,
The Overseers of the Poor of each county shall be a corporation by the name of the Overseers of the Poor of ----- county, and as such may rent a house or houses for the poor, or may purchase land and build thereon a poor house or houses for the poor, and may sell and convey lands; but the cost of the land and the cost of the house or houses shall first be estimated and reported by the Overseer's of the Poor, and approved by the voters of the county at some regular election. The Board of Overseers may provide on said land, stock and implements of husbandry, and use such houses and lands as a place of general reception for the poor. They may also provide a workhouse and other buildings and improvements; may employ managers, physicians, nurses and servants, and prescribe regulations for the management and good government of the same, having reference to the promotion of health, morality and industry among the occupants.

The report was adopted.

Mr. Hubbard was directed to inform the House thereof.

Mr. Brown offered the following:

Resolved by the Legislature of West Virginia, That John H. Charnock, be and he is hereby appointed as a guard for the Capitol Building during the recess of the Legislature, and that he take into his care and custody the furniture, keys, and other property belonging to the Halls of the House of Delegates and Senate, for the time aforesaid.

On motion of Mr. Brown, the rule was suspended and the resolution adopted.

Ordered, That Mr. Brown communicate the same to the House.

House Bill No. 53, "a Bill to stay the sale of live stock," was taken up, the amendment of the Committee disagreed to, and the bill rejected.

YEAS—Messrs. Atkinson, Bowen, Copley, Dunbar, Farnsworth, Hubbard, Mahon, Rollyson, Slack, and Young—10.

NAYS—Messrs. Stevenson, (President,) Brown, Bunker, Carskadon, Hawkins, Haymond, Maxwell, and Phelps—8.

The President then signed the following enrolled bills and joint resolutions:

An Act legalizing the county levy of Morgan county made for the year 1863.

An Act to authorize suits in Lewis county in cases heretofore cognizable in the Courts of Braxton county.

An Act to amend and re-enact the first and third sections of an act passed February 4, 1863, entitled "an Act to incorporate the Little Kanawha Navigation Company."

An Act to amend the law concerning Insurance and Express Companies.

An Act to fill vacancies in county and township offices.

An Act to incorporate the West Virginia Central Railway Company.

An Act to amend the act entitled "an Act providing for the establishment of a system of Free Schools."

An Act to empower the Assessors to re-assess certain lands in Pleasants county.

An Act for the encouragement of Foreign Emigration to this State.

An Act appropriating the Public Revenue for the fiscal year 1863-4, and a part of the fiscal year 1864-5.

An Act for the incorporation of Cemetery Associations.

An Act providing for the repair of the Walnut Gap Road in Boone and Wyoming counties.

An Act to punish treason against the State.

An Act to allow corporations to issue preferred stock.

An Act to regulate allowances to Recorders.

An Act to regulate the tolls of ferries.

An Act to amend and re-enact the charter of the town of Man-
nington in Marion county, and

An Act providing for the payment of certain militia claims allowed by Regimental Courts.

An Act supplementary to the act passed July 28, 1863, entitled "an Act to provide for the trial of offences committed in counties in which the administration of justice may be interrupted by war or insurrection.

No. 18.—Joint Resolution endorsing the Administration of Abraham Lincoln, and favoring his re-election.

No. 19.—Joint Resolution authorizing the Governor to present a banner to the 6th West Virginia Cavalry.

No. 20.—Joint Resolution authorizing the Governor to present a banner to the 7th West Virginia Cavalry.

No. 21.—Joint Resolution authorizing the Governor to employ a Private Secretary, and

No. 22.—Joint Resolution authorizing the Governor to present a banner to the 5th West Virginia Cavalry.

No. 23.—Joint Resolution appointing a guard for the Capitol Building.

No. 24.—Joint Resolution making an allowance to the Clerk of the House of Delegates to defray certain expenses.

And at 12½ o'clock the Senate took a recess until 3.

3 O'CLOCK, P. M.

The Senate re-assembled.

On motion of Mr. Phelps the Senate again went into Executive Session; and subsequently

On motion of Mr. Atkinson,

Resolved, That the thanks of the Senate are hereby tendered to the President for the able, courteous and impartial manner in which he has presided over their deliberations,

On motion of Mr. Maxwell,

Resolved, That the thanks of the Senate are hereby tendered to the Clerk for the promptness, correctness and uniform courtesy with which he has performed his various and arduous duties.

On motion of Mr. Farnsworth,

Resolved, That the thanks of the Senate are hereby tendered to the Sergeant-at-Arms, Door-keeper, Pages and other officers of the Senate, for the prompt and efficient discharge of their respective duties.

On motion of Mr. Mahon,

Resolved, That the thanks of the Senate are hereby tendered to the gentleman who has kindly reported the proceedings of the Senate for the uniform impartiality and correctness of his reports.

On motion of Mr. Bunker,

Resolved, That the sincere and grateful acknowledgments of the members of the Senate are hereby tendered to the clergy of Wheeling and vicinity, who have opened the sessions of the Senate with prayer.

And on motion of Mr. Hubbard, the Senate took a recess until seven o'clock, P. M.

7 O'CLOCK, P. M.

The Senate re-assembled.

A message from the House announced the passage of the joint resolution concerning the care of the Capitol Building, with an amendment inserting after "that," in the 3d line the words "subject to the approval of the Governor."

The amendment was agreed to.

A further message from the House announced the passage of the following :

Resolved by the Legislature of West Virginia,

Thirty dollars are hereby appropriated and placed at the disposal of the Clerk of the House of Delegates, for the purpose of paying necessary expenses of forwarding to those entitled to them, the pamphlet acts and journals of the last, and the journals of the present Legislature.

Mr. Brown moved to amend the same by striking out the word "appropriated" and inserting "allowed," and by adding at the end the words "to be paid out of the fund appropriated to pay the expenses of the Legislature."

The amendment was adopted.

And Mr. Brown was directed to communicate the same to the House.

On motion of Mr. Atkinson the Pages were each allowed an additional sum of twenty-five cents per day during the session.

On motion of Mr. Maxwell a committee of two was appointed to inform the House that the Senate, having completed its business, is ready to adjourn.

The President designated Messrs. Maxwell and Phelps to perform that duty.

A message from the House by Messrs. Newton, Crawford and Teter, announced that the House was ready to adjourn.

And on motion of Mr. Slack the Senate adjourned *sine die*.